



GOPAL SNACKS LIMITED

**POLICY FOR PREVENTION, PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT (POSH)
AT WORKPLACE**

Revision History

Version No.	Summary of Changes	Classification	Board Approval on
1.0	Initial	Internal	
2.0	Revised	Internal	05.05.2023

1) PREFACE

- 1.1 Gopal Snacks Limited (“GSL” or “Company”) is committed towards creating a work environment free of any form of harassment and bullying, where everyone is treated with dignity and respect. The purpose of this Policy is to promote and encourage respect and dignity for our colleagues and others and to evolve a mechanism for prohibition, prevention and redressal of sexual harassment cases and other acts of gender-based violence thereby upholding the commitment of the Company to provide a safe environment free from gender-based discrimination.
- 1.2 To that end, the Company has taken cognizance of the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the “Act”) to ensure that women are afforded an adequate amount of protection against harassment at the workplace. In order to keep abreast with the latest developments in the law and to ensure that employees are entitled to the benefit of the latest standards and practices, the Company hereby brings into force this Policy for prevention, prohibition and redressal of sexual harassment at work place (“Policy”).
- 1.3 We also recognize that sexual harassment at the workplace results in violation of the fundamental rights of a woman 1) to equality under Articles 14 and 15 of the Constitution of India, 2) to life and to live with dignity under article 21 of the Constitution of India, 3) to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.
- 1.4 We also recognize that harassment and bullying can have very serious consequences for individuals and the Company. We are committed towards taking appropriate actions for the prevention and redressal of unlawful discrimination and harassment at the workplace.
- 1.5 Specifically, for cases potentially involving sexual harassment, we have outlined the Policy and the procedure in this document.

2) SCOPE AND APPLICABILITY

- 2.1 This Policy extends to all the Employees of the Company and is deemed to be incorporated in the service conditions of all the Employees of the Company in India. Local Country laws will take precedence over this policy, in other geographies, if applicable.
- 2.2 It covers sexual harassment committed on, as well as outside the Company premises, in which employees/other stake-holders may find themselves in connection with their employment/ Company services.
- 2.3 Workplace implies extended workplace including travel, place of stay and work, office functions that is provided by the company.

3) DEFINITIONS

- 3.1 “**Board**” means the Board of Directors of the Company;
- 3.2 “**Presiding Officer**” means Chairperson of the ICC appointed under this Policy;
- 3.3 “**Company**” means all offices and entities of GSL where Indian legislation applies;
- 3.4 “**Employee**” shall mean all individuals who are employed/ engaged for work in regular, temporary, ad-hoc or daily wages basis, either directly or through an agent including a or contractor, whether for remuneration or not working on a voluntary basis or otherwise, whether the terms of employment are express or implied and include Co-worker, a contract worker, probationer, trainee, apprentice at any business location/ office of Company;
- 3.5 “**ICC**” means an Internal Complaints Committee constituted by the Board; and
- 3.6 “**Policy**” means this Policy i.e., the Policy for Prevention, Prohibition and Redressal of Sexual Harassment for prohibiting for sexual harassment at workplace.

4) MEANING OF SEXUAL HARASSMENT AND SEXUALLY ORIENTED BEHAVIOUR

- 4.1 ‘**Sexual Harassment**’ or ‘**Sexually Oriented Behaviour**’, includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
- i. Physical contact and advances; or
 - ii. A demand or request of sexual favors; or
 - iii. Making sexually colored remarks; or
 - iv. Showing pornography; or
 - v. Any other unwelcome physical, verbal or non- verbal conduct of sexual nature;

The above list is only indicative, a more comprehensive list is detailed out in Annexure.

- 4.2 Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature such as obnoxious comments or utterances, remarks or jokes, letters, phone calls, SMS or emails, gestures, stalking, sounds or display of a nature with sexual overtures, impeding or blocking movements, standing at a close distance that would make the other person uncomfortable, exclusion from workplace conversations/social events, unfair allocation of work & responsibilities etc.
- 4.3 In general, whether a particular action or behavior constitutes sexual harassment is determined by the recipient, and is not dependent upon the intention of the perpetrator. It cannot, therefore, be excused or justified claiming that it was unintentional or humorous. The implications of harassment are serious and GSL will take appropriate disciplinary action as described further.

5) RIGHTS AND RESPONSIBILITIES OF EMPLOYEES

- 5.1 Employees must conduct themselves in a manner to ensure a work environment that promotes respect and upholds the dignity of every individual at the workplace.
- 5.2 Every Employee shall have the right to raise a complaint against Sexually Oriented Behaviors to which he/she was subject to or which was targeted at him/her, to the ICC or to the Presiding Officer or any other Member of the ICC established under these Rules, as the case may be.
- 5.3 All employees must read and acquaint themselves with the Company policy to deal with unlawful discrimination and harassment at the workplace and clear any doubts they have with their local HR representative. Ignorance of this policy will not be treated as an excuse.
- 5.4 Every Employee shall promptly report any incident of Sexual Harassment that comes to his/her knowledge to the ICC or to the Presiding Officer of the ICC or to the Official designated by the Presiding Officer of the ICC as the case may be.
- 5.5 Employees must cooperate with the company in investigations and in preventing and curtailing unlawful discrimination and harassment at the workplace.

6) CONSTITUTION OF THE ICC

- 6.1 The Board shall establish an ICC to deal with Sexual harassment. The committee at each location comprises of:
 - i. Presiding Officer: A woman employed at a senior level in the organization or workplace;
 - ii. At least 2 members from amongst employees, committed to the cause of women or who have had experience of social work or have legal knowledge;
 - iii. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment; and
 - iv. At least one half of the total members nominated being women.
- 6.2 One Female member who shall be at a senior level shall act as Presiding Officer of the ICC. The term of the office of ICC is for a period of three years post which the Board shall reconstitute the ICC.
- 6.3 The names of the persons who are on the ICC from time to time along with their contact telephone numbers and other details shall be displayed at all plant / unit locations.

7) POWERS AND DUTIES OF THE ICC

- 7.1 To ensure implementation of this policy and its review on a periodic basis.
- 7.2 To ensure and supervise proper constitution and functioning of the ICC.

- 7.3 To organize regular workshop and training programs, based on organizational requirement.
- 7.4 To formulate programs for the spread of awareness of the policy among the management.
- 7.5 To receive complaints of sexual harassment at the workplace.
- 7.6 To initiate and conduct the inquiry as per the published procedure and Submitting findings and recommendations of inquiries.
- 7.7 Maintaining strict confidentiality throughout the process as per established guidelines.
- 7.8 Submitting annual reports on sexual harassment cases.

8) COMPLAINT PROCEDURE

- 8.1 **Conciliation:** Any individual who feels that they, or others, have been harassed or treated in a way that breaches this policy should, if they feel able to do so, immediately tell the individual(s) doing it that the behavior in question is offensive, unwanted, and that they want it to stop. It may emerge that the harasser then realizes the effect of his/her actions and may cease to display such behavior when confronted. A note should be kept of the date(s) the individual(s) was approached and what was said. This may be needed in evidence should harassment, victimization or bullying continue or recur.
- 8.2 However, if this is not possible or appropriate, the employee should follow the procedure detailed below and if required, seek assistance at any stage from the ICC. Employees must report harassment to the ICC at the earliest. To enable the committee to act on the complaint, it is advised the complaint be raised within a period of 3 (three) month of the incident.
- 8.3 Such a complaint must be in writing and shared with the ICC and must be signed by the complainant. The names of the members of the ICC along with their email addresses and contact numbers are in Annexure 2.
- 8.4 It will be the endeavor of the ICC to afford full confidentiality to the complainant, at this stage depending on the circumstances involved.
- 8.5 Immediately upon receipt of the Complaint, and within not more than 2 working days, the Member of the ICC to whom the Complaint is made shall communicate the same to the Presiding Officer of the ICC, who shall inform all the members of the relevant local ICC. The local ICC members may, in discussion with the Presiding Officer and the External Member, decide interim steps to be taken till such time the investigation is completed.
- 8.6 Within a period of 7 working days from the date of such communication, the Presiding Officer shall endeavor to convene a meeting of the ICC, such a meeting maybe face to face, through audio/ video conferencing or a combination thereof.

- 8.7 Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.
- 8.8 The ICC shall examine the complaint and shall undertake investigation of the complaint after giving opportunities to the complainant to present his/her case and the defendant to give his version. The complainant/ defendant may request the presence of a line manager/any senior in the business who may be invited by the complaints committee for facilitation / support during the investigation proceedings.
- 8.9 The ICC may examine witnesses from both the sides. Documents, if any produced by the parties may be taken on record. If the case demands, the ICC may set up an investigation team of two members (one male and one female) having satisfied themselves that such a team is trained and competent to conduct the investigation. The investigation by the ICC should be completed within 30 working days from the date of receipt of the complaint and investigation report to be submitted to the Board for further necessary action in the matter alongwith Committee's recommendation.
- 8.10 The Board will take the final decision on the case based on the recommendation of the ICC within 7 working days of receiving the recommendations.
- 8.11 The decision on the case will be communicated to the complainant and defendant by the Group Head HR and Presiding Officer of the ICC.

9) MAKING A COMPLAINT

- 9.1 An Aggrieved Woman can make a complaint to the ICC in writing within 3 (Three) months from the date of incident; or in case of a series of incidents, within 3 months of the date of last incident.
- 9.2 If complaint cannot be made in writing, reasonable assistance to be provided by Presiding Officer/Member of the ICC to the Aggrieved Woman making the complaint to reduce the same in writing.
- 9.3 Time limit extendable by another 3 (Three) months, if ICC is satisfied that circumstances prevented the aggrieved women making a complaint.
- 9.4 If the Aggrieved Woman is dead/physically or mentally incapable then her legal heir can file complaint on her behalf.
- 9.5 If the complaint is against the Member of ICC or Board of Directors, then Aggrieved Woman can make complaint to Local Committee constituted by the State Government.

10) MANNER OF INQUIRY INTO THE COMPLAINT

- 10.1 The Complainant shall submit 6 (six) copies of the complaint to the ICC along with supporting documents and the names and addresses of the witnesses.
- 10.2 On receipt of the Complaint, ICC shall send one copy to the respondent within 7 (seven) working days.
- 10.3 The respondent is to file his reply along with list of documents, and names and addresses of witnesses within 10 (ten) working days from the date of receipt of the documents.
- 10.4 ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
- 10.5 If the complainant or respondent fails, without sufficient cause, to present herself or himself for 3 (Three) consecutive hearings convened by the Presiding Officer, ICC may terminate the inquiry proceedings or give ex-parte decision on the complaint by giving a notice in writing 15 days in advance.
- 10.6 The parties are not allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before ICC.
- 10.7 Minimum 3 (Three) members of ICC including the Presiding Officer to be present in conducting the enquiry.

11) INTERIM RELIEF TO AGGRIEVED EMPLOYEE

- 11.1 During the pendency of an inquiry, on a written request made by an Aggrieved Woman employee, the ICC may recommend to the Company to:
 - i. transfer the Aggrieved Woman or the Respondent employee to any other workplace; or
 - ii. grant leave to the Aggrieved Woman employee up to a period of 3 months (the leave granted herein shall be in addition to the leave that she would be otherwise entitled to); or
 - iii. grant such other relief to the Aggrieved Woman employee as may be prescribed.
 - iv. The ICC at the written request of the Aggrieved Woman may recommend to the Company to restrain the Respondent from reporting on the work performance of the Aggrieved Woman or writing her confidential report and assign the work to another officer.

12) FRIVOLOUS OR FALSE COMPLAINTS

- 12.1 If ICC concludes that:
 - i. allegation against respondent is malicious; or

- ii. aggrieved Woman has made a false complaint; or
- iii. any other person making the complaint has produced forged/misleading document;

It can recommend to the Board: (1) to take action as per service rules; or in absence thereof (2) to take action including written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise/increments, termination from service, undergoing counseling or community service.

It is hereby clarified That Inability to substantiate complaint/provide adequate proof does not attract this provision.

12.2 If ICC concludes that any witness:

- i. has given false evidence; or
- ii. produced any forged or misleading document;

It can recommend to the Board to take action as per service rules; or in absence thereof to take action including written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise/increments, and termination from service, undergoing counseling or community service

13) PROTECTION AGAINST VICTIMIZATION

- 12.1 In the event complainant being an employee and the accused being his / her manager, during the pendency of investigation and even after such investigation if the manager is found to be guilty, the accused shall not act as Manager of the Complainant.
- 12.2 During the pendency of the investigation, the ICC may, at the request of the complainant, grant leave for a period that may be deemed necessary, which will not extend beyond closure of the investigation/case. Also, the Investigation Committee may, at its sole discretion, ask the accused to proceed on leave, during the pendency of the investigation.

14) CONSEQUENCE OF COMPLAINT BEING PROVED/OR OTHERWISE

- 14.1. In the event, allegations made in the complaint are proved against the employee, it will be taken as proved misconduct and the competent authority may impose any of the punishment as envisaged in the policy on disciplinary process.
- 14.2. The outcome of any redressal process will depend on the nature and circumstances of each grievance. Punishment accorded to offenders of the policy must be commensurate to the offence committed and must have a clear rationale. The ICC and the company's approach

must ensure protection to the company from any possible risk and a reformative approach towards affected individual employees.

14.3. In such instances where a complaint is found to be malicious/ fictitious, such disciplinary action may be taken against the complainant as would have been taken against the accused, had the complaint been proven to be factual. However, the mere inability to substantiate a complaint or provide adequate proof would not be deemed adequate to attract action against the aggrieved complainant. Malicious intent or falsehood shall need to be established by enquiry before action is recommended.

14.4. Disciplinary action may also be taken in instances where:

- i. A person retaliates, threatens or victimizes another person because of their involvement in the grievance process.
- ii. Unnecessary disclosure of information (a breach of confidentiality) has occurred.

15) APPEAL

15.1 The complainant and the respondent have the right to appeal to the Managing Director/ Whole Time Director & Group CFO for review of actions taken based on the recommendations of the ICC. An aggrieved party may file any appeal provided s/he can demonstrate that actions taken by the Decision-Making Committee on the recommendation of the ICC are violative of natural, procedural and/or substantive justice. This should be done within 7 working days of being informed of the actions to be taken.

16) RECORD KEEPING

16.1 All records of cases handled by the ICC will be maintained by the Committee;

16.2 The Presiding Officer will be required to file a half yearly report to the Group Head HR on the activities of the ICC;

16.3 The ICC will in accordance with government regulation, submit annual reports regarding actual cases of sexual harassment at the workplace to the relevant government department; and

16.4 The Presiding officer will submit quarterly report of complaints received, disposed off and pending with ICC with the Compliance officer for further submission of status report with the Audit Committee.

17) SAVINGS

17.1. The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the accused under any other provision of civil or criminal law.

17.2. The provisions of this policy shall not restrict the power of Company or complainant to proceed against the alleged offender for any other misconduct or to pursue criminal or civil remedies.

18) IMPLEMENTATION AND REVIEW POLICY

- 18.1. The Board shall be responsible for implementation and review of the Policy in whole or part or also take into consideration recommendations, if any from ICC;
- 18.2. In the event of any conflict between the provisions of this Policy and applicable laws, the provisions of applicable laws shall prevail and the part(s) so repugnant shall be deemed to be severed from the Policy and the rest of the Policy shall remain in force.

Annexure I**Sexually Oriented Behavior shall mean and include but not limited to the following:**

- i. Material that is sexual in nature, sexist, sexually explicit and so on and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or on a computer or fax machine or on the Internet or any other public display system or public place in the work premises;
- ii. Verbal abuse or comments that put down people because of their sex;
- iii. Comments about people's (women/men) bodies;
- iv. Tales of sexual exploits;
- v. Graphic descriptions of pornography;
- vi. Pressure for dates;
- vii. Sexually explicit gestures;
- viii. Unwelcome touching and hugging;
- ix. Sexist and insulting graffiti;
- x. Sexist jokes and cartoons;
- xi. Obscene phone calls / text messages;
- xii. Displaying pornography in the workplace;
- xiii. Insisting that workers wear revealing clothing;
- xiv. Inappropriate gifts (for example, lingerie);
- xv. Discussion of one's partner's sexual inadequacies;
- xvi. Lewd and threatening letters;
- xvii. "Accidentally" brushing sexual parts of the body;
- xviii. Pressing or rubbing up against a victim;
- xix. Sexual sneak attacks (such as grabbing private parts on the run) ;
- xx. Indecent exposure;
- xxi. Subtle or overt pressure for sexual favours;
- xxii. Soliciting sexual services;
- xxiii. Demanding sexual services;
- xxiv. Sexual or physical contact, such as slapping, kissing or touching;
- xxv. Intrusive questions about sexual activity;
- xxvi. Sexual assault;
- xxvii. Repeated sexual invitations when the person invited has refused/ignored similar invitations;
- xxviii. Coerced sexual intercourse (e.g., as a condition of employment or academic status);
- xxix. Stalking a work colleague either physically or virtually on the internet.