

SHARP AGRICOM LIMITED
CHARTER DOCUMENT
OF
INTERNAL COMPLAINT COMMITTEE (POSH)

1. Introduction

At Sharp Agricom Limited, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to:

- Treat each other with dignity and respect
- Refrain from any unwelcome behavior that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

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"). 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. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail. This policy provides protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2. Scope

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees of the Company in India. Local country laws will take precedence over this policy, in other geographies, if applicable.

3. Definitions

Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that 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 behavior (whether directly or by implication), but not limited to:

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

- a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit;
- b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation;
- c. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will;
- d. Demand or request for sexual favors;
- e. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
- f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
- g. 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.;
- h. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
- i. Giving gifts or leaving objects that are sexually suggestive;
- j. 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
- k. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

3.2 The following circumstances if it occurs or is present in relation to any sexually determined act or behavior 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; or
- e. Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. 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.

"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.

"Complainant": Any aggrieved woman who makes a complaint alleging sexual harassment under this policy.

"Respondent": A person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy.

"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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.

"Special Educator": A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

"Workplace": Premises, locations, establishments, enterprises, institutions, offices, branches or units established, subsidiaries which are controlled by the Company. Any Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.

"Employer": A person responsible for management, supervision and control of the workplace

4. Redressal Mechanism

a. Internal Complaints Committee (Henceforth known as 'ICC')

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees (ICC) have been appointed for all administrative units / offices of the company. The detail of the committee is notified to all covered persons at the location (workplace). The committee at each location comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace;
2. 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;
3. 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;
4. At least one half of the total members nominated being women;

b. Roles and Responsibilities:

The committee will be responsible for:

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

c. Lodging a Complaint

An aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the ICC shall render all reasonable assistance to the women for making the complaint in writing.

1. If the Aggrieved Woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by:

- a. her relative or friend; or
- b. her co-worker; or
- c. an officer of the National Commission for Women or State Women's Commission; or
- d. any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

2. If the Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by:

- a. her relative or friend; or
- b. a special educator; or
- c. a qualified psychiatrist or psychologist; 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 Woman's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care

3. If the Aggrieved Woman 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 her written consent.

4. If the Aggrieved Woman is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

The complaint shall be submitted by the complainant to the ICC in writing or shall be submitted to the IC electronically at csdesk@sharpglobal.in

d. Receiving a Complaint (guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint: - Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.

- Situations are not be pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainants own words, where possible, are to be used accurately. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.

- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.

- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity.

e. Resolution procedure through conciliation

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.

No monetary settlement can be made as a basis of conciliation. In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.

The committee shall provide copies of the settlement to complainant & respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.

e.1 Manner and Procedure of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any;
- The Committee will hold a meeting with the Complainant within seven days of receipt of the complaint, but no later than a week in any case;
- At the first meeting, the Committee members shall hear the Complainant and record her allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint;
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent;
- **Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint:-**
 - a) Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint;
 - b) Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded;
 - c) The Complainant shall be provided with a copy of the written explanation submitted by the Respondent;
 - d) If the Complainant or the respondent desires any witness/s to be called, they shall communicate in writing to the Committee the names of witness/s that they propose to call;
 - e) The Committee shall call upon all witnesses mentioned by both the parties;
- **The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case:-**
 - a) If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies;
 - b) No legal practitioner can represent any party at any stage of the inquiry procedure;
 - c) The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice;

- d) In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present;
- e) The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

5. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the complainant or the respondent to any other workplace;
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled;
- Prevent the respondent from assessing complainant's work performance;
- Grant such other relief as may be appropriate.

6. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15 day written notice is to be given to the party, before termination of enquiry or ex-parte order.

7. Action to be taken after inquiry

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

8. Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not to be published or made known to public or media.

9. Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act, within 90 days of the recommendations being communicated.

10. Legal Compliance

The ICC shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer and the District Officer (as defined in the Act). The report shall have the following details:

- number of complaints of Sexual harassment received in the year
- number of complaints disposed of during the year
- number of cases pending for more than 90 days
- number of workshops or awareness program against Sexual Harassment carried out
- nature of action taken by the employer or District Officer

