



ANIKA GROUP OF COMPANIES

PREVENTION OF SEXUAL HARRASMENT AT WORKPLACE POLICY

1. Objective

- a. Anika International Pvt. Ltd, Anika Global Trading Pvt. Ltd., India Recypa Pvt. Ltd, Bio D Energy (India) Pvt. Ltd., Vig K Finance Pvt. Ltd. Scan India, Ankur Chemical, collectively referred to as the Anika Group in this policy, believe in equal employment opportunities for all and aim to provide a safe working environment. As such, any form of gender bias, prejudice, and sexual harassment is unacceptable.
- b. This policy intends to prohibit and prevent occurrences of sexual harassment and also details procedures to follow when an employee believes that a violation of this policy has occurred within the ambit of all regulations regarding sexual harassment prescribed by law and the Anika Group's Code of Conduct.
- c. Sexual harassment at the work place, or other than the work place, is a grave offence and is, therefore, punishable.
- d. Making a false complaint of sexual harassment or providing false information regarding a complaint is also treated as an equally serious breach of this policy.
- e. Further, this policy aims to ensure full protection from retaliation against and victimization of complainants, witnesses, committee members and other employees involved in the prevention and complaint resolution process.
- f. Violation of this policy will call for strict disciplinary action up to and including termination. Also, the Anika Group will cooperate with any local laws/ regulations regarding sexual harassment, as may be applicable.
- g. This policy document is circulated to all employees of the Anika Group. It is shared with new employees on joining. All employees are expected to familiarize themselves with the contents of this policy.
- h. Complaints which are not related to sexual harassment, as defined in this policy, should be referred to HR. These complaints will be addressed as per the organization's grievance redressal process.

2. Scope

This policy is applicable to:

- i) Anika International Pvt. Ltd, Anika Global Trading Pvt. Ltd., India Recypa Pvt. Ltd, Bio D Energy (India) Pvt. Ltd., Vig K Finance Pvt. Ltd. Scan India, Ankur Chemical, collectively referred to as the Anika Group in this policy.

- ii) All categories of employees: whether full-time employees or part-time employees, consultants, third party/ outsourced staff, trainees, interns, or retainers.
- iii) All acts of sexual harassment, occurred during or beyond office hours.
- iv) All acts of sexual harassment, which may have taken place within or outside the Anika office premises, including any travel or place visited by an employee arising out of or during the course of employment.

3. Key Definitions

- a. **“Aggrieved Employee”**: An employee in relation to a workplace, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.
- b. **“Complainant”**: The Aggrieved Employee or any other person authorized by the Aggrieved Employee, to make a complaint in writing to the Committee, on her/his behalf.
- c. **“Respondent”**: A person against whom the Complainant has made a complaint.

4. Sexual Harassment

Sexual Harassment under this policy includes unwelcome sexually tinted behavior, whether directly or by implication, such as

- a. Physical contact and advances; or
- b. Demand or request for sexual favors; or
- c. Making sexually colored remarks; or
- d. Showing pornography, or
- e. Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature; or
- f. any of the following circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:
 - i) Implied or explicit promise of preferential treatment of an employee in her/his employment; or ii) implied or explicit threat of detrimental treatment in employment; or
 - iii) Implied or explicit threat about present or future employment status; or
 - iv) interference with her/his work or creating an intimidating or offensive or hostile work environment for her/him; or
 - v) Humiliating treatment likely to affect her/his health or safety.

Employment in Clause (4f) refers to general terms and conditions of service, including, for example, increased job benefits, favorable performance reviews, salary increases, promotions, and preferential work allocation and assignments.

Hostile work environment in Clause (4f) includes either speech or conduct of a sexual nature that is seen and perceived as offensive and interferes with work performance of the recipient. It may include intimidating or harassing conduct that is directed at an individual or a group of individuals.

5. Internal Complaints Committee (“ICC” or “Internal Complaints Committee”)

- a. The Anika Group’s Internal Complaints Committee for complaint and redressal of cases of sexual harassment is provided in Annexure A.
- b. The Presiding Officer of the Committee shall be a woman at a senior level. It shall have not less than 2 members from amongst employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge. Not less than half of the members of the Committee would be women. The Committee will also consist of an External Member who is familiar with issues relating to sexual harassment and has legal knowledge under the Prevention of Workplace Harassment Act, 2013, or is from an NGO or association committed to the cause of women and familiar with issues relating to sexual harassment.
- c. The External Member shall be entitled to a prescribed allowance and reimbursement of expenses to attend proceedings of the ICC.
- d. In addition to handling complaints on sexual harassment, the ICC shall also co-ordinate preventive activities to create a sexual harassment free atmosphere, including information dissemination and sensitization workshops.
- e. The ICC shall also make an annual report to the concerned Government department of the complaints and action taken by them.
- f. A minimum of 3 Members of the ICC, including the Presiding Officer, are required to be present for conducting an inquiry.

6. Complaint of Sexual Harassment

- a. Every complaint regarding an incident of sexual harassment shall be sent to the Presiding Officer of the Internal Complaints Committee.
- b. Any Aggrieved Employee may make a complaint of sexual harassment at workplace to the ICC, in writing, giving details of the sexual harassment meted out to her/him. The aggrieved Employee is required to submit 6 copies of the written complaint, along with supporting documents and names and addresses of the witnesses to the Internal Complaints Committee. The complaint may be submitted in hard copy via registered post, intra-office post, or electronically through email.
- c. The complaint must be made within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident.
- d. The limit of 3 months may be extended for a further period not exceeding 3 months, for reasons to be recorded in writing, if the ICC is of the opinion that the circumstances warrant such extension.
- e. In accordance with the provisions of the Prevention of Workplace Harassment Act, 2013, a complaint to the ICC on behalf of the Aggrieved Employee can be filed by such other person and under such circumstances, as specified below:

- i) *Where the Aggrieved Employee is unable to make a complaint on account of her/his physical incapacity, a complaint may be filed by:*
 - a relative or friend; or
 - a co-worker; or
 - an officer of the National Commission for Women or State Women's Commission; or
 - any person who has knowledge of the incident, with the written consent of the Aggrieved Employee.

- ii) *Where the Aggrieved Employee is unable to make a complaint on account of her/his mental incapacity, a complaint may be filed by:*
 - a relative or friend; or
 - a special educator; or
 - a qualified psychiatrist or psychologist; or
 - the guardian/ authority under whose care she/he is receiving treatment or care; or
 - any person who has knowledge of the incident jointly with any of the above.

- iii) *Where the Aggrieved Employee 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/his written consent.*
- iv) *Where the Aggrieved Employee is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her/his legal heir.*

7. Redressal Mechanism

- a. The Presiding Officer or any member of the ICC can render reasonable assistance to the Complainant for making a complaint in writing, in case they are unable to do so.

- b. On receipt of complaint, the ICC shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent.

- c. All complaints shall be handled and inquiry will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the Complainant, witnesses and Respondent. All efforts shall be taken to ensure objectivity and thoroughness throughout the process of inquiry.

- d. On receipt of a written complaint, the ICC may, if required, ask the Complainant to furnish additional information about the alleged harassment.

- e. The ICC shall provide a copy of the complaint along with supporting documents of such complaints to the Respondent within 7 working days of receipt of such documents.

- f. The Respondent shall file a reply along with list of documents, names and addresses of witnesses within 10 working days of receipt of the complaint.

- g. The ICC shall investigate in detail into the matter of the complaint. It shall have the right to call the Respondent or any other witnesses, as and when necessary.
- h. The ICC shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the Respondent or the Complainant remains absent for 3 consecutive hearings, without sufficient cause. *Such termination or ex-parte order shall only be passed after giving 15 days' advance notice, in writing, to the party concerned.*
- i. The parties shall not be allowed to bring in any legal practitioner to represent them at any stage of the inquiry before the ICC.
- j. For conducting the inquiry, the quorum of the ICC shall be of 3 members including the Presiding Officer.
- k. The ICC must complete its investigation within a period of 90 days.

8. Interim Relief during Period of Inquiry

Upon written request by the Aggrieved Employee, the ICC may at its discretion recommend:

- i) to transfer the Aggrieved Employee or the Respondent to any other workplace; ii) to grant leave to the Aggrieved Employee, in addition to leave to which she/he is otherwise entitled.

Provided, however, that the Aggrieved Employee has to tender justified reason for such transfer or leave, such as threat to work or self in the workplace.

- iii) to restrain the Respondent from reporting on work performance of the Aggrieved Employee or writing her/his confidential report and to assign the same to some other official of the organization.

9. Conciliation

- a. The ICC may, before initiating an inquiry, and at the Aggrieved Employee's request, attempt to settle the matter through conciliation.
- b. The ICC, however, shall ensure that:
 - i) Monetary settlement will not be made as a basis of conciliation.
 - ii) Where a settlement has been arrived, the ICC shall record the same and the settlement terms shall be signed by both the parties.
- c. The ICC shall forward the signed copy of the settlement to the relevant Anika Group company and the Aggrieved Employee and Respondent shall also be provided a copy.

- d. Where, a settlement is arrived as mentioned hereinabove, no further inquiry shall be conducted by the ICC.

10. Action to Be Taken After Completion of Inquiry

- a. The ICC shall, on completion of the inquiry, provide a report of its findings to the relevant Anika Group company within 10 days from the date of completion of the inquiry and such report shall be made available to the concerned parties.
- b. If the allegation against the Respondent has not been proved, the ICC may recommend that no action needs to be taken in the matter.
- c. If the ICC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to:
 - i) take action for sexual harassment as a misconduct;
 - ii) tender written apology to the Complainant, issue warning, reprimand the Respondent, withhold promotions/increments of the Respondent, terminate the Respondent from service, direct the Respondent to undergo a counseling session or carry out community service.
 - iii) deduct from salary/wages of the Respondent or issue direction for payment of such sum as it may consider appropriate to be paid to the Aggrieved Employee or to her/his legal heirs, as it may determine.
- d. An action upon the recommendations of the ICC will be taken within 60 days of the receipt of report by the relevant Anika Group company.

11. Determination of Compensation

For the purpose of determining the sums to be paid under 10c(iii) of this Policy, to the Aggrieved Employee or to her/his legal heirs, as may be determined by the Company, the ICC shall have regard to:

- i) the mental trauma, pain, suffering and emotional distress caused to the Aggrieved Employee;
- ii) the loss in the career opportunity to the Aggrieved Employee due to the incident of sexual harassment;
- iii) medical expenses incurred by the Aggrieved Employee for physical or psychiatric treatment;
- iv) the income and financial status of the Respondent;
- v) Feasibility of such payment in lump sum or in installments.

12. False or Malicious Complaint and Evidence

- a. The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by the Anika Group. However, there shall be zero tolerance for any false accusation.

- b. If the ICC comes to a conclusion that the allegation was made with malicious intent or the Aggrieved Employee or any other Complainant or witness produced false or forged or misleading documents to prove his/her case, the ICC may recommend action to be taken against the person who has made the complaint, including termination of service.
- c. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided above.
- d. The ICC may recommend such actions as it may recommend under Clause 10, against any Complainant or witness whom the Committee concludes, has made a malicious complaint or has given false evidence or produced forged or misleading documents.
- e. This Clause is not intended to discourage employees from coming forward with any complaints. The Anika Group recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

13. Awareness and Preparedness Regarding Sexual Harassment at Workplace

- a. This policy shall be available for all employees. Any updates will be circulated via email. Clarification related to this policy shall be addressed to Human Resources.
- b. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees during their initial induction. Orientation programs and seminars for employees shall be organized to understand the policy and promote awareness.
- c. An announcement showing the name and contact details of the Internal Complaints Committee shall be made.
- d. The Anika Group shall comply with all other details as set out under Section 19 of the Prevention of Workplace Sexual Harassment Act, 2013, and the Prescribed Rules to ensure that all employees are provided with a safe working environment at the workplace.

14. Confidentiality

- a. To protect the interests of the Aggrieved Employee, the Respondent and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigation process to the extent practicable and appropriate under the circumstances.
- b. Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under this Policy, publishes or makes known to the public the contents of such complaint and inquiry proceedings shall be liable for disciplinary action, penalty or such other action as the Internal Complaints Committee may deem fit.

15. Access to Reports and Documents

All records of complaints, including contents of meetings, results of inquiry and other relevant material will be kept confidential by Internal Complaints Committee and the relevant Anika Group Company except where disclosure is required under disciplinary or other remedial processes.

16. Appeal

- a. Any person aggrieved from the recommendations made by the Internal Complaints Committee under clauses 10b or 10c or 12b of this Policy or non-implementation of such recommendations may prefer an appeal in such manner as may be prescribed under the Prevention of Workplace Sexual Harassment Act, 2013, and the Prescribed Rules.
- b. Such appeal shall be preferred within a period of 90 days of the recommendations of the ICC, as mentioned in clause 16a above.

17. Victimization of the Complainant

- a. The Anika Group is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.
- b. The Internal Complaints Committee shall make best efforts to protect the interests of the victim from victimization.
- c. Every manager or supervisor must be alert towards any possible retaliatory action against the Complainant and must contact the ICC members immediately upon receiving a complaint of victimization of the Complainant.
- d. The Complainant may, upon victimization, directly communicate with the members of the ICC or any other superior officials of the relevant Anika Group Company.
- e. In case of any possibility of retaliatory action, the ICC must preferably transfer the alleged harasser or the Complainant to avoid victimization.

18. Internal Complaints Committee to Submit Report

- a. The ICC shall prepare a Report at the end of every calendar year and submit the same to the relevant Anika Group Company.
- b. The Report shall contain the following particulars:
 - i) Number of complaints of sexual harassment received during the year; ii) Number of complaints disposed off during the year; iii) Number of cases pending for more than 90 days; iv) Number of workshops or awareness programs against sexual harassment implemented; v) Nature of action taken on each complaint.

19. Company to include information in Annual Report

The relevant Anika Company shall include in its Annual Report the number of cases filed, if any, and their disposal under the Prevention of Workplace Harassment Act, 2013.

20. Miscellaneous

- a. The Anika Group may make any alteration or amendment or rescind any of the clauses of this Policy, as and when it finds it necessary to do so, as long as it complies with the Prevention of Workplace Harassment Act and its Prescribed Rules. Any such alterations or amendment or rescission will be intimated to all employees.

- b. Nothing contained in this Policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Laws.

- c. With regard to any complaint of Sexual Harassment, the decision of the relevant Anika Group company shall be final and binding on all. However, the same is without prejudice to any recourse that the relevant Anika Group company or the Complainant may have against the Respondent and it shall not limit or restrict the rights of the Complainant and/or the relevant Anika Group Company to pursue, nor shall they be precluded from pursuing such further and other legal actions as may be available.

ANNEXURE A

DETAILS OF MEMBERS OF THE INTERNAL COMPLAINTS COMMITTEE

For complaints related to all offices of the Anika Group in Delhi NCR, the following members shall constitute the Internal Complaints Committee.

S.N.	Name	Designation	Role in Internal Complaint Committee
1	Ms. Ashima Bhasin	Senior General Manager-Admin	Chairperson
2	Mr. Raj Kumar Jain	Director	Members
3	Mr. Siddharth Vig	Director	
4	Ms. Ritu Kakkar	Group Manager -HR	
5	Ms. Pankhuri Gupta	Member (NGO)	
6	Ms. Indu Sanghera	Executive Assistant	Member Secretary

Contact Details for Correspondence:

By Registered Post or Intra-Office Post:

HR Head, Anika Group of Companies, F-402, 4th Floor, Ras Vilas Mall, Saket, New Delhi- 110017.

By Email: hr@anika.in

ANNEXURE B

EXAMPLES OF CONDUCT AMOUNTING TO SEXUAL HARASSMENT

Whether a particular act or conduct could amount to sexual harassment is dependent on the specifics of the act and the circumstances; the following is an indicative (not exhaustive) list of conduct that could be considered as amounting to sexual harassment:

1. Unwanted sexual advances or propositions
2. Offering employment benefits in exchange for sexual favors
3. Leering
4. Making sexual gestures
5. Displaying sexually suggestive objects or pictures, cartoons, calendars or posters
6. Making or using derogatory comments, comments about a person's body or dress, slurs, epithets or sexually suggestive jokes
7. Written communications of a sexual nature distributed in hard copy or via a computer network, suggestive or obscene letters, notes or invitations
8. Physical conduct such as unwanted touching, assault, impeding or blocking movements
9. Making or threatening retaliation after a negative response to sexual advances or for reporting or threatening to report sexual harassment
10. Eve-teasing
11. Sexually tinted remarks, sexually slanted and obscene jokes
12. Subtle innuendoes or open taunting regarding perfection, imperfection or characteristics of physical appearance of a person's body or shape
13. Displaying pornographic or other sexually offensive or derogatory material
14. Forcible physical touch or physical assault or molestation
15. Suggesting or implying that failure to accept a request for a date or sexual favors would adversely affect the individual in respect to performance evaluation or promotion
16. Explicitly or implicitly suggesting sexual favors in return for hiring, compensation, promotion, retention decision, relocation, or allocation of job/responsibility/work
17. Any act or conduct by a person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise making the environment at the work place hostile or intimidating to a person belonging to the other sex, only on the ground of such individual providing or refusing sexual favors
18. Physical confinement against one's will and any other act likely to violate one's privacy.