



## **CITY CORPORATION LIMITED**

### **POLICY ON SEXUAL HARASSMENT OF EMPLOYEES**

#### **1.0 POLICY**

1.1 City Corporation Limited 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 if 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.

#### **2.0 SCOPE AND EFFECTIVE DATE**

2.1 This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

2.2 Sexual harassment would mean and include any of the following:

"Sexual Harassment" includes such unwelcome sexually determined behavior as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.

There are usually three kinds of sexual harassment and the following examples are not exhaustive. Sexual harassment can be perpetrated upon members of the opposite gender or one's own gender.

##### **Non-Verbal**

- Gestures
- Staring / leering
- Invading personal space



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- Pin-ups
- Offensive publications
- Offensive letters / memos
- Unsolicited and unwanted gifts

#### **Verbal**

- Language of a suggestive or explicit nature
- Unwanted propositions
- Jokes of a sexual or explicit nature
- Use of "affectionate names"
- Questions or comments of a personal nature

#### **Physical**

- Deliberate body contact
- Indecent exposure
- Groping / fondling / kissing
- Coerced sexual contact

### **3.0 INTERNAL COMPLAINTS COMMITTEE CONSTITUTION**

3.1 A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Presiding Officer and Members of the Committee are as follows:

#### **Committee**

1. Dr. Kamaljeet Kaur Siddhu, Presiding
2. Mrs. Swati Barkund, Member (employee)
3. Mrs. Priyanka Bhutkar (employee)
4. Dr. Bharati Dole(NGO Member)

3.2 The Internal Complaints Committee constituted will be appointed for a period of three years.

### **4.0 REDRESSAL PROCESS:**

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4.1 If an individual believes he or she is the victim of sexual harassment or retaliation, s/he is encouraged to report such complaint immediately. The top Management has designated the Internal Complaints Committee to receive all complaints, verbal or written, of harassment on Behalf of the organization.

4.2 A complaint under this Act may be lodged with Internal Complaints Committee at the earliest point of time and in any case within 15 days of occurrence of the alleged incident. The complaint shall contain all the Material & relevant details concerning the alleged Sexual Harassment.

4.3 If the complainant feels that he or she cannot disclose his/ her identity for any reason, the Complainant shall address the complaint to the Head of the Organization & hand over the same in person or in a sealed cover.

4.4 The head of the organization shall retain the original complaint with him & send to the Internal Complaints Committee a Gist of the complaint containing all material & relevant details of the complainant.

4.5 Within 1 week of receipt of the complaint, the Chairperson shall communicate the same to all the members of the Internal Complaints Committee.

4.6 The Company will take all reasonable steps to prevent harassment from occurring and will take Immediate and appropriate action when the Company knows that unlawful harassment has Occurred.

4.7 If you have been harassed by a co-worker, supervisor, agent, vendor or client, or if you believe that another employee has been harassed, you have a duty to promptly report the facts of the incident or incidents, and names of the individuals involved, to (Option: HR Head or Internal Complaints Committee.)

4.8 The matter will be immediately and thoroughly investigated, and confidentiality will be maintained to the extent possible. After reviewing the evidence, a determination will be made concerning whether reasonable grounds exist to believe that harassment has occurred. It is the obligation of all employees to cooperate fully in the investigation process. The Company considers any harassing conduct to be a major offense which can result in disciplinary action for the offender, up to and including



discharge.

4.9 The Company will take action to deter any future harassment. In addition, disciplinary action will be taken against any employee who attempts to discourage or prevent another employee from bringing harassment to the attention of management. The persons involved will be advised of the determination if appropriate.

4.10 The Company wants to assure all of its employees that measures will be undertaken to protect those who complain about harassment from any further acts of harassment, coercion or intimidation, and from retaliation due to their reporting an incident or participating in an investigation or proceeding concerning the alleged harassment.

## **5.0 GUIDELINES FOR ENQUIRY**

### **5.1 DISPUTE RESOLUTION PRIOR TO ENQUIRY**

The Internal Complaints Committee may if, and only if so requested by the aggrieved person/woman, try to resolve the matter informally by intervening and thereby permitting the parties to resolve the matter mutually before the commencement of the formal enquiry proceedings. The person to carry out the Dispute Resolution Process shall be chosen from the Internal Complaints Committee by the aggrieved person/woman. The Officer shall carry out the Dispute Resolution Process on a Local Level.

### **5.2 ORAL COMPLAINTS TO BE REDUCED IN WRITING**

It shall be the duty of the Internal Complaints Committee or their representative before whom an oral complaint is made under this Act to reduce the said complaint in writing and read out the complaint to the complainant in the language requested by the complainant and obtain the signature of the complainant.

### **5.3 CONFIDENTIALITY OF COMPLAINTS**

It shall be the duty of all the persons and authorities designated under this Act to ensure that all complaints lodged in this context shall be strictly confidential.

The name of the aggrieved person/woman shall not be referred to in any records of



Proceedings, or any orders or Judgments given under this Act;

The name of neither the aggrieved person/ woman nor her identity shall be revealed by the press / media or any other persons whilst reporting any proceedings, case, order or Judgment under this Act.

#### **5.4 IMPROPER COMPLAINTS**

This policy shall not be used to bring frivolous or malicious complaints against anyone. Making a knowingly false complaint subjects the complainant to disciplinary or corrective action.

However, failure to prove a claim of sexual harassment does not constitute proof of a false and / or malicious accusation.

#### **5.5 PROHIBITION OF VICTIMISATION**

(1) No person shall be victimized for anything said or done in relation to any complaints or proceeding under this act.

(2) A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person

(i) Has brought proceedings under this Act against any person.

(ii) The other person associates with the complainant.

(iii) Has given evidence or information or produced a document, in connection with any proceedings under this Act.

(iv) Has otherwise done anything in accordance with this Act in relation to any person.

(v) Has alleged that any person has contravened a provision of this act

#### **6.0 CONDUCTING OF ENQUIRY**

6.1 Where no Dispute Resolution process has been requested by the aggrieved woman, or if requested and carried out, has not been successful, the Internal Complaints Committee shall within a period of two weeks from the completion of any mediation process held, or if not held, within two weeks of its receipt of the complaint, proceed to conduct a full enquiry into the allegation of sexual harassment, in accordance with the rules and regulations governing misconduct for the Company and as per the procedures set out below.

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6.2 Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.

6.3 The employer shall hand over to the convenor of the Committee a copy of the charge sheet issued to the defendant and reply/explanation (if any) of the defendant prior to the commencement of the enquiry, and the Committee shall hand over copies of the same to the complainant by hand delivery duly acknowledged or by Regd. A/D post within 3 days of its receipt of the same and prior to the commencement of the enquiry, if requested by the Complainant;

6.4 The Committee shall give 7 days notice by hand delivery duly acknowledged or by regd. A. D. Post to the complainant and the defendant to appear for the first date of the enquiry which shall be specified. The notice shall state that the complainant and defendant shall be given an opportunity of producing evidence, examining witnesses, etc if any.

6.5 At the commencement of the enquiry the committee shall explain to both the complainant and defendant the procedure which will be followed in the enquiry.

6.6 The enquiry shall be conducted in Hindi, English or the local language, whichever is requested by the defendant;

6.7 The Committee shall see that every reasonable opportunity is extended to the complainant and to the defendant, for putting forward and defending their case.

6.8 The venue of the enquiry should be as per the convenience of the complainant.

## **7.0 ENQUIRY TO BE COMPLETED WITHIN 90 DAYS**

Notwithstanding anything contained in any law for the time being in force an enquiry in this context shall be completed, including the submission of the Enquiry Report, within a period of 90 days from the date on which the enquiry is commenced. Any delay in completion shall be done by reasons given in writing.

## **8.0 THIRD PARTY HARASSMENT**



Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the internal complaints committee will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

## **9.0 WHO SHOULD HELP TO STOP WORKPLACE HARASSMENT?**

The Source of the Behavior <i>-Stop the Harassing Behavior</i>	S
The Target of the Behavior <i>-Tell the source to stop and/or report the behavior.</i>	T
Any Observer of the Behavior <i>-No such thing as an innocent bystander.</i>	O
Any Person in Authority <i>-A Duty Exists</i>	P.

## **10.0 OBLIGATIONS**

10.1 Top Management of the company shall provide all necessary assistance for the purpose of ensuring full, effective and prompt implementation of this policy. It shall further be bound by the decisions of the Internal Complaints Committee and shall implement the same expeditiously.

10.2 The support to be provided to the Company includes:

- i. Secretarial and administrative support for training and other preventive actions.
- ii. Helping to set up
- iii. Secretarial support during SH enquiries
- iv. Adequate financial resources for all activities.

10.3 The Company is expected to provide adequate protection to the Internal Complaint Committee members in case of threats and any retaliation. Support & protection must also be provided if matters go to Court.



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10.4 Communicate the policy to all employees.