

# *Penam Laboratories Limited*

---

***Policy of the Company under the Sexual  
Harassment of Women at Workplace  
(Prevention, Prohibition and Redressal) Act, 2013***

---

## **Objective**

PENAM LABORATORIES LIMITED is committed to maintaining a work environment that is free of sexual or gender based harassment.

This policy/procedure affirms the commitment of PENAM LABORATORIES LIMITED in providing a work environment that is free from sexual or gender based harassment.

Sexual Harassment not only violates the service policy of PENAM LABORATORIES LIMITED but also violates the provisions of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, Act 14 of 2013.

## **Applicability**

All PENAM LABORATORIES LIMITED employees are governed by this policy, with appropriate adjustments, to accommodate local, legal or contractual requirements.

This policy/procedure does not constitute a contract or contractual obligation, and the Company reserves the right, in its sole discretion, to amend or modify its use within the framework of the law.

## **Policy**

This Policy/Procedure of PENAM LABORATORIES LIMITED shall:

- Foster a work environment where women are not sexually harassed and are treated with respect
- Define conduct prohibited by the law and this policy
- Define conduct that may be deemed inappropriate under this policy document
- Communicate the process for reporting alleged incidents of sexual or gender-based harassment
- Confirm the guidelines for investigating alleged incidents of sexual or gender-based harassment
- Confirm that corrective action up to and including discharge will be imposed for conduct deemed to be in violation of this policy
- Lay down the processes for prevention and redressal of sexual harassment complaints

## **Definition**

### **Sexual Harassment**

In keeping with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, sexual harassment is defined as any unwelcome sexually determined behavior such as

- Physical contact
- A demand or request for sexual favours
- Sexually coloured remarks
- Showing pornography
- Any other physical, verbal or non-verbal conduct of a sexual nature.

Sexual Harassment is also a situation where a person:

- Subjects another person to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching or similar conduct.
- Makes an unwelcome demand or request (whether directly or by implication) for sexual favours from another person, and further makes it a condition for employment/payment of wages/increment/promotion and any of such order.
- Makes an unwelcome remark with sexual connotations, like sexually explicit compliments/jokes with sexual connotations/ sexist remarks and any of such order.
- Shows a person any sexually explicit visual material, in the form of pictures, cartoons, pin-ups, calendars, screen savers on computers/any offensive written material/pornographic e-mails, SMS and any of such order.
- Engages in any other unwelcome conduct of a sexual nature, which could be verbal, or non-verbal, making offensive gestures, uninvited sex-oriented gestures, teasing or suggestive comments or questions of a sexual nature.

Sexual harassment in the workplace is classified into two distinct types:

- 'Quid pro quo', means seeking sexual favours or advances in exchange for work benefits and it occurs when consent to sexually explicit behavior or speech is made a condition for employment or refusal to comply with a 'request' is met with retaliatory action such as dismissal, demotion, difficult work conditions.
- 'Hostile work environment' is a form of sexual harassment involving work conditions or behavior that makes the work environment purposefully difficult for an employee to be in. Certain sexist remarks, display of pornography or sexist/obscene graffiti or jokes, physical contact/brushing against woman or male employees, preventing an employee from carrying out duties are some examples of hostile work environment.

### **Complaints Channel:**

The Internal Complaints Committee is constituted to investigate all sexual harassment complaints in PENAM LABORATORIES LIMITED

When an individual or groups of women are faced with sexual harassment in PENAM LABORATORIES LIMITED, they should lodge their complaint in the following manner:

- The aggrieved woman/women shall make the complaint in writing to the Internal Committee through the Presiding Officer of the Committee within 3 months of the incident in keeping with Chapter IV of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013
- The Internal Complaints Committee conduct the enquiry in keeping with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013
- The Internal Complaints Committee shall complete the enquiry with 90 and file the report of its finding with the Penam Management within a further period of 10 days

### **Constitution of Internal Complaints Committee:**

- Every location/Administrative Unit must constitute a location level Internal Complaints Committee
- The Internal Complaints Committee Presiding Officer shall be a senior level woman employee from the workplace which will be Mrs. Kanika Pareek, Company Secretary of PENAM LABORATORIES LIMITED.
- The Internal Complaints Committee shall have two members from amongst the management of the Company preferably with experience in social work, the cause of women or legal knowledge i.e. our Whole-Time Director Mr. Ashish Ajmani and Vice President Mr. Vikas Pandey.

### **Confidentiality**

The contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by PENAM LABORATORIES LIMITED shall not be published, communicated or made known to the public, press and media in any manner. All complaints / grievances of sexual harassment will be taken seriously, will be held in strict confidence and will be investigated promptly in an impartial manner. For the purpose of completing the investigation, key witnesses or other stakeholders may be required to be taken into confidence at the strict discretion of the Internal Committee.

### **Procedure for Inquiry**

- Where the respondent is an employee the inquiry shall be in accordance with the Service Rules applicable to such employee
- The parties shall both be given an opportunity of being heard and be furnished with a copy of the findings
- The inquiry shall be completed within 90 days
- The Committee shall provide a copy of a Report of its findings to the Penam Management within a period of 10 days from completion of inquiry
- The Committee can recommend to PENAM LABORATORIES LIMITED to take action for sexual harassment or to deduct appropriate sums of money from the salary or wages of the respondent to be paid to the aggrieved woman

All complaints will, and should be thoroughly investigated. All complaints will be handled in line with the provision in the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013”.

If in the course of the investigation it is discovered that the complaint is false and raised with a mala fide intent, appropriate action could be taken against the complainant.

PENAM LABORATORIES LIMITED will not in any way retaliate against anyone who, in good faith, makes a complaint or report of harassment or discrimination, or participates in the investigation of such a complaint or report. Retaliation by anyone against any individual for reporting a claim of harassment or discrimination or cooperating in the investigation of such a

complaint will not be tolerated and will itself be subject to appropriate discipline, including discharge.

### **Orders/Powers of the Internal Complaints Committee:**

#### **Settlement**

On a request by the aggrieved woman the Internal Complaints Committee may before the inquiry take appropriate steps to settle the matter between the complainant and the respondent

If a settlement is reached it shall be forwarded to the Penam Management to record/approve the specified action

The Internal Complaints Committee shall provide the complainant and the respondent with copies of the settlement

#### **Inquiry**

In the event of no conciliated settlement the Internal Complaints Committee shall

- Conduct an inquiry in accordance with the service rules of the respondent and principles of natural justice
- Both the parties shall be given equal opportunity of being heard and examining the other party
- The Internal Complaints Committee shall make a copy of the findings available to both parties
- The Internal Complaints Committee has the powers of a Civil Court
- The inquiry shall be completed in 90 days
- The Committee shall submit its report of the findings to the Penam Management within 10 days of the completion of the inquiry
- In the event of the allegations not being proved the Internal Complaints Committee shall recommend to the Penam Management that no action is required
- In the event of the Committee holding that the allegations are proved the Committee shall recommend to the Penam Management that action be taken under the Service Rules for misconduct
- The Internal Complaints Committee can award compensation to the complainant taking into account the mental trauma, loss of career opportunity, medical expenses and income of the respondent. Such compensation may be in lump sum or instalments
- The compensation so awarded may be directed to be deducted from the wages of the respondent by the Penam Management or paid by the respondent
- The Internal Complaints Committee may during the pendency of an inquiry recommend to the Penam Management that the complainant be transferred to another workplace or be granted leave for a period not exceeding 3 months

**Disciplinary Action**

In case any such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the company shall initiate appropriate action in accordance with the law by lodging a complaint with the appropriate authority. Sexual harassment will not be tolerated at PENAM LABORATORIES LIMITED. If the outcome of an investigation by the Internal Complaints Committee shows that harassing behavior has taken place, the harasser will be subject to disciplinary action up to and including termination of employment.

**Applicability**

The Policy shall become operational from the date as may be decided by the Board of Directors of the Company.