

PATEL RETAIL LIMITED

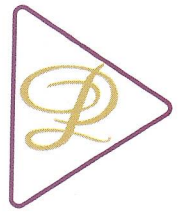
(FORMERLY KNOWN AS PATEL RETAIL PRIVATE LIMITED)

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CIN: U52100MH2007PLC171625



PATEL RETAIL LIMITED

TRUST & TOGETHERNESS

POLICY ON PREVENTION OF SEXUAL HARASSMENT

(in accordance with the provisions of the Sexual Harassment of Women at Workplace
(Prevention, Prohibition and Redressal) Act, 2013) ("SHWW Act")

1. OBJECTIVE

- 1.1 Patel Retail Limited ("**Company**") is committed to creating a safe work environment (without fear of prejudice, gender bias, coercion and intimidation), providing equal employment opportunities to applicants/ employees without regard to race, class, religion, color, creed, nationality, citizenship status, gender or any other classification protected by applicable laws. Therefore, in furtherance of this objective, the Company has formulated this Policy to deal with Sexual Harassment complaints ("**Policy**"/ "**POSH Policy**"). This Policy aims at redressal of complaints filed by any of its woman employees against sexual harassment and for matters connected therewith and incidental thereto.

2. SCOPE / APPLICABILITY

This Policy extends to all Employees of the Company and is deemed to be incorporated in the service conditions of all Employees and shall come into effect immediately. 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 Sexual Harassment has occurred or not does not depend on the intention of the people but on the experience of the aggrieved person.

3. DEFINITIONS

- (a) "**Sexual Harassment**" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely-
- physical contact and advances; or
 - demand or request for sexual favours; or
 - making sexually coloured remarks; or
 - showing pornography; or
 - any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

The following circumstances among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment-

- implied or explicit promise of preferential treatment in her employment; or
- implied or explicit threat of detrimental treatment in her employment; or
- implied or explicit threat about her present or future employment status; or
- interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- humiliating treatment likely to affect her health or safety.

- (b) **“Employee”** means a person employed at a 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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- (c) **“Employer”** means-
- (i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
 - (ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace;
Explanation- For the purposes of this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;
 - (iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
 - (iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker;
- (v) **“Workplace”** includes-
- (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;
 - (ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
 - (iii) hospitals or nursing homes;
 - (iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
 - (v) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
 - (vi) a dwelling place or a house.

4. INTERNAL COMPLAINTS COMMITTEE

- 4.1 To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an Internal Complaints Committees (“ICC” / “Committee”) has been constituted at each location.
- 4.2 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 two (2) members from amongst employees, committed to the cause of women and or who have had experience in social work or have legal knowledge;
 - (iii) One (1) external member, familiar with the issues relating to sexual harassment.
- 4.3 The Company’s ICC comprises of the following members:
Presiding Officer: Rachana Sathe
Internal Members: Deepesh Somani and Priya Karagir
External Member: Sunita Kamble
- 4.4 The Committee will be responsible for:
- (i) Receiving complaints of sexual harassment at the workplace;
 - (ii) Initiating and conducting inquiry as per the established procedure;
 - (iii) Submitting findings and recommendations of inquiries;
 - (iv) Coordinating with the Employer in implementing appropriate action
 - (v) Maintaining strict confidentiality throughout the process as per established guidelines;
 - (vi) Submitting annual reports as per prescribed format.

5. COMPLAINT REDRESSAL MECHANISM

1. Any aggrieved woman may make, in writing, a complaint of sexual harassment at the Workplace to the ICC within a period of three (3) months from the date of incident and in case of a series of incidents, within a period of three (3) months from the date of last incident, which may further be extended for a period not exceeding three (3) months by the ICC by recording reasons in writing, if circumstances were such which prevented the aggrieved woman from filing a complaint within the said period. However, where such complaint cannot be made in writing, the Presiding Officer or any member of ICC shall render all reasonable assistance to the woman for making the complaint in writing.
2. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her (a) legal heir or friend; or (b) 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 a written consent of the aggrieved women; may make a complaint.
3. The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
4. The complainant or person authorized on their behalf as per above provision, shall make a complaint to the ICC along with supporting documents and names and address of witnesses.

5. On receipt of such complaint, the ICC shall provide a copy of such complaint along with supporting documents to the respondent within seven (7) working days.
6. The respondent shall file reply to the complaint along with their list of documents, and names and addresses of witnesses, within a period not exceeding ten (10) working days from the date of receipt of documents from the ICC.
7. The ICC may before initiating an inquiry under section 11 of the SHWW Act and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation. No monetary settlement shall be made as a basis of conciliation. Further, where settlement has been arrived, the ICC shall record the settlement so arrived and forward the same to the Employer, the aggrieved woman and the respondent. Furthermore, no further inquiry shall be conducted by the ICC.
8. During the inquiry process, the complainant and the respondent shall refrain from any form of threat, intimidation or influencing of witnesses.
9. The ICC shall ensure confidentiality during the inquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses.
10. The ICC shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.
11. The ICC must complete its investigation within a period of ninety (90) days from the date on which the inquiry is commenced.
12. For conducting the enquiry, the quorum of the ICC shall be of three (3) members including the Presiding Officer.
13. During the pendency of an inquiry, upon written request by the aggrieved woman, the Committee may at its discretion recommend to the Employer:
 - (i) to transfer the aggrieved person or the respondent to any other workplace; or
 - (ii) grant leave to the aggrieved woman, up to three (3) months with salary which is in addition to leave to which she is otherwise entitled;
 - (iii) grant any other relief to the aggrieved woman as may be prescribed.

6. ACTIONS

- 6.1 The ICC shall, on completion of the inquiry, provide a report of its findings to the Employer, within ten (10) days from the date of completion of the inquiry to the Employer and such report shall be made available to the concerned parties.
- 6.2 If the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Employer to not take any action in the matter.

- 6.3 If the ICC arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged / misleading document, it may recommend to the Employer to take action against the woman or person who has made the complaint.
- 6.4 If the ICC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Employer to take action for sexual harassment as a misconduct. Such action shall be taken within sixty (60) days of the receipt of recommendation.

7. CONFIDENTIALITY

All parties concerned shall maintain strict confidentiality in respect of all aspects of the complaints including but not limited to the contents of a complaint, the identity and addresses of the complainant, respondent and witnesses, recommendations of the Committee and the action taken by the Company. Such action shall not be published or made known or disseminated in any form either privately or in any public media. Any breach of the confidentiality provision by any person shall be liable to penalty.

8. AWARENESS

- 8.1 All members of the ICC are required to abide by this Policy.
- 8.2 Training regarding the Policy against Sexual Harassment shall be designed and all members including the members of the ICC will be required to undergo such training. The training program will contain:
- (i) Understanding the definition of sexual harassment
 - (ii) Gender sensitization
 - (iii) Do's and don'ts - General Guidelines in terms of use of language and code of conduct
 - (iv) Examples and case studies
 - (v) Discussion on appropriate behaviour
 - (vi) Complaint Mechanism (Internal Complaints Committee)

9. 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. The report shall have the following details:

- (i) number of complaints of sexual harassment received in the year;
- (ii) number of complaints disposed of during the year;
- (iii) number of cases pending for more than ninety (90) days
- (iv) number of workshops or awareness program against Sexual Harassment carried out;
- (v) nature of action taken by the Employer.

10. AMENDMENT

The Board of the Company reserves the right to amend this Policy at any point of time. Any amendment to this Policy shall take effect from the date when it is approved by the Board. This Policy shall be subject to review/changes as may be deemed necessary and in accordance with regulatory amendments from time to time.

11. INTERPRETATION

In any circumstance where the terms of this Policy are inconsistent with any existing or newly enacted law, rules, regulations or standards governing the Company, the said law, rules, regulations or standards will take precedence over this Policy.

***This Policy is as per the applicable laws of India including The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 as well as any other applicable law governing sexual harassment, for the time being in force in India.*
