Lux Industries Limited

Policy on Prevention of Sexual Harassment at Workplace (POSH)

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Lux Industries Limited

1. Preamble

Lux Industries Limited ("the Company") is committed to provide a safe, inclusive, and respectful working environment for all employees and stakeholders. The Company believes that every individual has the right to work with dignity and without fear of harassment, intimidation, or exploitation. The company has zero tolerance towards any kind of verbal, psychological, physical offence/ act/ conduct of a sexual nature by any employee or partner/ vendor or any other stakeholder that directly or indirectly creates an intimidating, offensive, or hostile environment and will take all steps to deal with complaints effectively and quickly.

Sexual harassment at workplace is strictly prohibited and will be dealt with in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act") and the rules made thereunder.

2. Objectives

The objectives of this Policy are to:

- Prevent and prohibit sexual harassment at the workplace;
- Provide a robust and confidential redressal mechanism for complaints of sexual harassment that is time bound and equitable;
- Promote awareness and sensitisation of employees;
- Ensure compliance with the POSH Act, 2013;
- Define roles, responsibilities, and procedures for prevention and redressal of sexual harassment.

3. Scope and Applicability

This Policy applies to:

- All employees of the Company, whether permanent, temporary, contractual, probationary, ad-hoc or daily wage basis, either directly or through an agent and includes a co-worker, trainee, apprentice, consultant, or otherwise;
- Visitors, vendors, customers, service providers, interns, and any third party associated with the Company;

4. Definitions

Unless the context otherwise requires, words and expressions used in this Policy shall have the same meaning as assigned to them under the POSH Act, 2013.

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4.1 Aggrieved Woman / Aggrieved Person

A woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment at the workplace.

4.2 Employee

A person employed at a workplace of the company for any work who is permanent, temporary, contractual, probationary, on an ad -hoc or daily wage basis, either directly or through an agent and includes a co-worker, trainee, apprentice, consultant, or otherwise.

4.3 Employer

Any person responsible for the management, supervision, and control of the workplace of the Company.

4.4 Respondent

A person against whom a complaint of sexual harassment has been made.

4.5 Sexual Harassment

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.

Circumstances such as implied or explicit promise of preferential treatment, threat of detrimental treatment, creation of hostile work environment, or humiliating conduct may also amount to sexual harassment.

4.6 Third- Party

For the purpose of this policy, Third- Party shall include, but not be limited to-Visitors, vendors, customers, service providers, and other individuals associated with the Company.

4.7 Workplace

Includes all offices, factories, branches, units, and any place visited by an employee during the course of employment, including transportation provided by the Company.

5. Duties of the Employer

The employer shall:

a) Provide a safe working environment, including protection from persons who come in contact at the workplace.

b) Display prominently at the workplace:

- the penal consequences of sexual harassment; and
- the order constituting the Internal Complaints Committee (ICC).

c) Conduct regular awareness workshops for employees and orientation programmes for ICC members.

d) Provide necessary facilities to the ICC or Local Committee (LC) for handling complaints and conducting inquiries.

e) Assist in ensuring the attendance of the respondent and witnesses before the ICC/LC.

f) Provide required information to the ICC/LC relevant to the complaint.

g) Assist the aggrieved woman, if she chooses, in filing a complaint under the Indian Penal Code or other applicable laws.

h) Initiate action under applicable laws against the respondent, including where the respondent is not an employee, if the aggrieved woman so desires.

i) Treat sexual harassment as misconduct under service rules and take disciplinary action.

j) Monitor timely submission of reports by the Internal Complaints Committee.

6. Responsibilities of Employees

All employees shall:

- Maintain a professional and respectful workplace;
- Refrain from any act that may constitute sexual harassment;
- Cooperate during inquiry proceedings;
- Respect confidentiality of the complaint and inquiry process.

7. Constitution of Internal Complaints Committees (ICC)

In compliance with Section 4 of the POSH Act, the Company has constituted **Internal Complaints Committees (Vertical wise)** that will investigate all complaints of sexual harassment. The name of the members of each of the committees, along with contact details will be provided in this policy.

Each Internal Complaints Committees shall comprise:

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- A Presiding Officer (woman employee at a senior level);
- At least two employee members committed to women's causes or having legal knowledge or social experience;
- One external member from an NGO or association committed to the cause of women or having experience in dealing with sexual harassment issues.

At least one-half of the total Members so nominated shall be women.

The members of the ICC shall hold office for a period of three years. The Executive Directors of each respective Verticals may re-nominate the existing members of the ICC of that Vertical or nominate other persons to replace a member who vacates office for any reason including resignation from the company's service, in accordance with the applicable laws.

Vertical-wise Internal Complaints Committees

The Internal Committees shall be constituted for the following verticals:

Vertical A-

Sl. No.	Name of the person	Designation
1.	Mrs. Smita Mishra, Company Secretary	Presiding Officer
2.	Mr. Suraj Kumar Narnolia, GM- Finance & Accounts	Member, ICC
3.	Mrs. Prathistha Dobhal, Manager-Legal	Member, ICC
4.	Mrs. Aprajita, Senior Manager-HR	Member, ICC
5.	Mrs. Ruma Basu Gomes, POSH Consultant	Member, ICC

Vertical B-

Sl. No.	Name of the person	Designation
1.	Mrs. Anshumita Sengupta, AGM-HR	Presiding Officer
2.	Mr. Pradip Kumar Kandar, GM- Legal & Secretarial	Member, ICC
3.	Ms. Bhawna Banthia, Manager – Direct Taxation	Member, ICC
4.	Mrs. Ruma Basu Gomes, POSH Consultant	Member, ICC

Vertical C-

Sl. No.	Name of the person	Designation
1.	Mrs. Jeya Kannan, Senior Accountant	Presiding Officer
2.	Mr. Deepak Kumar Agarwal, GM- Accounts/Finance	Member, ICC
3.	Mrs. Buvana Manimuthu, Manager- HR/Admin	Member, ICC
4.	Mrs. Ruma Basu Gomes, POSH Consultant	Member, ICC

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The composition, contact details, and jurisdiction of each Internal Complaints Committee shall be updated from time to time.

8. Complaint Redressal Mechanism

8.1 Lodging of Complaint

- If the aggrieved person believes that she has been subjected to sexual harassment, a written complaint may be made to the concerned ICC within **three months** from the date of the incident or in case of a series of incidents, within three months from the date of the last incident, through the respective HR Manager or the Department Head.
- Assistance shall be provided to the aggrieved person if the complaint cannot be made in writing.
- The ICC may extend the time limit by another three months for reasons recorded in writing.
- The complaint shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name(s), designation, location of the complainant and respondent, date(s) of act(s), time, witnesses, if any, etc.
- Upon receipt of the complaint, the committee shall send a copy of the complaint to respondent within 7 working days to which the latter needs to reply within 10 working days of receipt of the documents from the Committee with all the supporting documents and name and addresses of the witnesses, if any.

8.2 Conciliation

- At the request of the aggrieved person, the ICC may attempt to take steps to settle the matter between her/him and the respondent through conciliation before initiating an inquiry.
- No monetary settlement shall be made as a basis of conciliation.
- When the parties have agreed on a settlement, the ICC shall record the same, copies of which shall be provided to both parties along with the company to take suitable action in terms of the settlements. The matter will then be treated as closed and no further enquiry shall be conducted. However, if any of the terms mentioned in the settlement are not complied with by the Respondent, the Internal Complaints Committee shall proceed to impose such disciplinary action as it deems fit.

8.3 Inquiry

- If the settlement is not complied with for any reason, or a settlement is not reached between the parties, the ICC shall proceed with an inquiry, allowing both the parties to explain their case as well as submit any evidence in support of their statements.
- The Committee with a presence of minimum of three committee members including the Presiding Officer shall make inquiry into the complaint in accordance with the principles of natural justice.
- If the respondent is an employee, the inquiry will be carried out as per the applicable service rules of the organization.

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- During the inquiry, both parties shall be given an opportunity to be heard and a copy of the inquiry findings will be shared with both parties, allowing them to submit representations against the findings. For the purpose of making an inquiry, the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely :-
  i. summoning and enforcing the attendance of any person and examining on oath;
  ii. requiring the discovery and production of documents/ records;
  and any other matter which may be prescribed
- Legal practitioners shall not be permitted to represent either party.
- Inquiry shall be completed within a period of **90 days.**

8.4. Interim Relief

During an inquiry the ICC may recommend any interim relief to the aggrieved person if a written request is received including :

i. transfer of the aggrieved person or the Respondent to any other location; or

ii. grant leave to the aggrieved person up to a period of three months that will be in addition to any other entitled leave.

iii. grant such other relief to the aggrieved person as may be prescribed.

8.5 Inquiry Report and Action

- The ICC shall submit its report to the Employer within **10 days** of completion of the inquiry and such report made available to the concerned parties.
- Where the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.
- If the ICC finds that the complaint is proved, it shall recommend to the employer to:
  - Take disciplinary action against the respondent for sexual harassment as per applicable service rules or prescribed procedure.
  - Deduct an appropriate amount from the respondent's salary to be paid as compensation to the aggrieved person or her legal heirs.
  - If salary deduction is not possible due to absence or termination of employment, the respondent will be directed to pay the amount directly. If the respondent fails to pay, the Committee may forward the order to the District Officer for recovery as arrears of land revenue.
- The Employer shall act on the recommendations within **60 days.**

9. Punishment for false or malicious complaint and false evidence

- If the ICC finds that:
  - the complaint was made with malicious intent, or
  - the complainant knowingly made a false complaint, or

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- any forged or misleading documents were submitted,

It may recommend to the employer to take appropriate action against the complainant as per applicable service rules or prescribed procedure.

However, no action will be taken against the complainant merely because the complaint could not be proved or due to lack of sufficient evidence.

Action for malicious complaint will be recommended only after completing a proper inquiry establishing such intent.

If during the inquiry any witness is found to have given false evidence or submitted forged or misleading documents, the ICC may recommend action against such witness as per applicable service rules or prescribed procedure.

10. Confidentiality

All matters and proceedings relating to the Complaint including the identity of the Complainant and Respondent shall remain strictly confidential and will not be disclosed except to a competent court or a governmental agency that has the right under the law and regulation to obtain such information. The confidentiality protocol will remain in place for a period of six months after the complaint has been closed. However, the recommendation of the ICC and its implementation may be intimated on a need-to-know basis for cause. Any person who breaches the confidentiality requirement shall be penalized.

11. Third-Party Harassment

Where sexual harassment occurs due to acts of a third party, the Company shall take necessary steps to assist the aggrieved person in initiating appropriate legal action.

12. Appeal

Any person who does not agree with the recommendations made or non-implementation of such recommendations may prefer an appeal before the Court of competent jurisdiction, as per Rules.

The appeal shall be made within a period of **ninety days** of the recommendations.

13. Awareness and Training

The Company shall conduct regular awareness programmes and training sessions for employees and ICC members to ensure effective implementation of this Policy.





14. Policy Review and Amendment

This Policy shall be reviewed periodically and may be amended in accordance with changes in law or organizational requirements.

This Policy comes into force with immediate effect and supersedes any previous policy on the subject.



