



VST TILLERS TRACTORS LIMITED

POSH POLICY

(Prohibition Of Sexual Harassment Policy)

Department: Human Resources	HR POLICY AND PROCEDURE
Title: Prohibition, Prevention & Redressal of Sexual Harassment Policy	Effective Date: 8 th May 2023
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Objective

VST Tillers Tractors Ltd is committed in creating a safe and healthy working environment that enables individuals to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all individuals of the Company and persons who deal with the Company, have the right to be treated with dignity.

Applicability

This policy is applicable to all employees including management, consultants, probationers and trainees at VST Tillers Tractors Ltd (Company) and all other individuals associated with the Company, such as employees of vendors, contractors, clients and visitors (collectively referred to as “Employee” or “Employees” for the purposes of this Policy).

This Policy is applicable to all allegations of Sexual harassment, whether within or outside the premises of the Company and/or during the course of an employee’s employment and shall come into force with immediate effect.

Scope

The Company strictly prohibits Sexual Harassment of any individual in its Work Environment, regardless of form or whether it is explicit or implied. This policy covers the following areas:

1. **Sexual Harassment overview**
2. **Exclusion**
3. **Prohibition of Sexual Harassment**
4. **Prevention of Sexual Harassment**
5. **Redressal of Complaints**
6. **Procedure of Enquiry**
7. **Action against the Guilty**
8. **Confidentiality**
9. **Protection to complainant / victim**
10. **Procedures for Dealing with Criminal Conduct**
11. **Report to management**
12. **Other miscellaneous points related to sexual harassment.**
13. **Amendment**
14. **Interpretation of Policy**



1. Sexual Harassment Overview

Sexual Harassment Includes any conduct or behaviour that is unwelcome and sexual in nature.

A. **Sexual harassment Conduct** A few examples of such conduct are:

- (a) Physical contact and advances.
- (b) A demand or request for sexual favours - whether verbal, textual, graphic, electronic or by any other action.
- (c) Making sexually coloured remarks & showing pornography.

(a) **Physical conduct:** Physical contact and advances such as unnecessary touching, patting or brushing against another's body, assault, coercing sexual activity, physical threats, insulting or abusive gestures or display of a nature with sexual overtures, sexually suggestive comments, leering, standing inappropriately close to another person or intruding on his/her 'personal space', etc.

(b) **Verbal conduct:** Sexually colored remarks, such as sexual jokes, obnoxious comments or utterances, verbal abuse of a sexual nature such as sexually oriented kidding, teasing, practical jokes, jokes about gender-specific traits, comments about an individual's dress, appearance or physique, sexual prowess or deficiencies, discussion of one's own sexual conduct or activities, sounds, catcalls, phone calls, offensive flirtations, letters, SMS, emails or skype messages which are offensive in nature.

(c) **Non-verbal conduct:** Sexually offensive or obscene body language, showing pornography or sexually suggestive pictures (including but not limited to e-mail and social media), offensive objects/ visual material including graffiti, hostility to employees because of a protected characteristic.

B. **Quid pro Quo:** Any conduct, behaviour or circumstance that is harassing in nature and supports one's own or another person's unwelcome conduct or behaviour of a sexual nature.

A few examples of such conduct/behaviour/circumstances are:

- (a) Retaliating in any manner, for complaining against Sexual Harassment or giving evidence in support of such a complaint.
- (b) Promising preferential treatment in employment; (A demand or request for sexual favours in return for a promise of work-related favours such as performance appraisal, promotion, transfer, salary increase, and employment or any other form of reward or recognition.)
- (c) Threatening detrimental treatment in employment.
- (d) Threatening to adversely affect a person's present or future employment status.
- (e) Creating circumstances that interfere with a person's work.
- (f) Creating an intimidating or offensive or hostile work environment.
- (g) Subjecting a person to humiliating treatment that affects her/his health or safety.
- (h) Behaviour/conduct that is persistently directed towards an individual despite its rejection.
- (i) Conduct that has the purpose or effect of unreasonably interfering with an individual's professional performance.

C. **"Work Environment"** Includes:

- (a) Interactions amongst the Company's staff, irrespective of location and timing.
- (b) Interactions between the Company's staff and a third party during the course of employment or third party's business relationship with the Company.
- (c) Interactions between any staff member of the Company/third party having a business relationship with the Company and a visitor to the Company's premises/events.



2. Exclusion

The following actions are examples of what does not constitute sexual harassment (the list and examples are not exhaustive and are for illustrative purposes only):

A. Consented Behaviour:

Conduct that was once allowed or tolerated and considered as friendly or consensual cannot be condemned as sexual harassment at a later stage. Sexual harassment does not refer to a normal conversation that all parties affected find acceptable. It does not refer to personal relationships that are freely entered into without intimidation or coercion.

B. Performance Management:

Workplace harassment policies stipulate that the reasonable exercise of management functions, such as providing constructive feedback or enforcing performance standards, is not considered harassment.

3. Prohibition of Sexual Harassment:

- A. The Company adheres to the Vishaka Guidelines and Prevention of Sexual Harassment Act POSH, 2013.
- B. Sexual harassment shall constitute "Misconduct" in terms of the Company's "Rules and Regulations of Service". Any employee found guilty of committing an act(s) of sexual harassment shall be liable to the punishment laid down in the policy.
- C. It may be noted that all employees of the Company are prohibited from indulging in sexual harassment.
- D. It is further clarified that the making of any patently false or malicious allegation(s) of sexual harassment by any employee(s) of the Company towards other employee(s) within the Company or against any third party would also constitute "Misconduct" and shall be liable to disciplinary proceedings and penalties in accordance with this Policy and/ or the applicable "Rules and Regulations of Service" and/ or the Model Standing Orders applicable to the Company.
- E. All employees of the Company have a personal responsibility to ensure the maintenance of a work environment free from sexual harassment.

4. Prevention of Sexual Harassment

- A. The Company believes that Sexual Harassment can and must be eliminated through awareness. The HR Department & Internal Complaints Committee (ICC) of the Company will take the overall lead in creating awareness about the Policy and take the necessary actions as and when required to govern the Policy.
- B. The Company will spread awareness within its organization through periodic communications about Sexual Harassment and its consequences for the organization and the individuals involved.
- C. The Company will also take other appropriate steps as may be required to prevent and eliminate Sexual Harassment from its Work Environment.



5. Redressal of Complaints

A. Considering the sensitivity of the subject, the Company has set up an Internal Complaints Committee (ICC) for redressal of the complaints related to sexual harassment as given in Annexure A

B. Constitution of the Committee:

- (a) In accordance with the Prevention, Prohibition, and Redressal Act 2013 ICC committee will be formed.
- (b) The names and contact details of the ICC members are provided in Annexure A to this Policy.
- (c) An employee will cease to be a member of the Internal Complaint Committee if he/she is no longer employed with the Company.
- (d) Further, a member will be immediately disqualified from acting as a member of this committee if he/she is found guilty of committing an act of Sexual Harassment or any other act of moral turpitude.
- (e) The Company is entitled, at its discretion and at any time and without any notice, to terminate the appointment of any member of the Committee and appoint a substitute.
- (f) The members of the ICC shall hold office for a maximum period of 2 years from the date of their nomination. However, the Company may temporarily extend the term of the ICC to dispose of any pending complaint.

C. ICC is responsible for:

- (a) Implementing this policy.
- (b) Organize workshops or interactive programs to spread awareness.
- (c) Investigating every formal written complaint of sexual harassment as detailed in Annexure B.
- (d) Conduct enquiries in accordance with the procedures set out further in this policy and ensure compliance with the policy in all actions taken under or in connection with this policy.
- (e) Keep a record of all complaints received and the actions taken by the committee and the Company thereon.
- (f) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- (g) At the end of each calendar year, the committee shall prepare a consolidated report of all the complaints received and the actions taken by the Company and submit the same to the concerned government authority

D. The procedures and time frames for filing, investigating, and deciding complaints; and the rights and obligations of the parties involved in the complaint are detailed in the Redressal Process (see Annexure B to this Policy).

E. Meeting of the Committee:

- (a) The members of the ICC shall meet at least once every three calendar months within the Company's premises as notified by the Presiding officer.
- (b) The quorum for any valid meeting of the ICC shall be at least four members including the independent member and with not less than half the members present at such meeting being women. In the event of the number of members present and/or women members present at any meeting is less than aforesaid, the ICC shall not discuss any matters or take any actions/decisions.
- (c) In the event that the aforesaid number of members present is still less than as stated above at any meeting, adjourned from a previous day, the Presiding officer shall notify the Company (the HR Department) of the absence of such members and the Company shall take steps to forthwith appoint a substitute member in place of the absentee members and the meeting of the ICC shall be held on the next day.



- (d) The decisions taken by the ICC shall be based on majority vote and in case of equal division of votes, the Presiding officer shall have a casting vote.
- (e) The decision of the ICC will be final and binding upon all.

F. Conciliation Proceeding

- (a) Conciliation - In the event the ICC finds a prima facie case of harassment allegedly committed by one or more employees, before conducting an enquiry, the Committee may take steps to settle the matter between the complainant and the alleged harasser through conciliation if the employee desires to do so.
- (b) In case the issue gets resolved at this stage, the ICC shall record the issue resolution and forward the same to the Company/Management. In such a situation, the ICC will not conduct any further enquiry in this matter. Monetary settlement shall not be made as a basis of conciliation.
- (c) If in case the issue does not get resolved, the ICC, after recording its reasons in writing, shall set up an Enquiry Committee.

6. Procedure of enquiry

- (a) The Presiding Officer of the Enquiry Committee shall preside over the investigation and shall document all proceedings of the Enquiry Committee.
- (b) In relation to conducting an enquiry, the Enquiry Committee have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:
 - (c) Summoning and enforcing the attendance of any person and examining her/him on oath.
 - (d) Requiring the findings and production of documents.
- (e) The Enquiry Committee shall make enquiry into the complaint in accordance with the principles of natural justice.
- (f) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Enquiry and/ or the ICC. However, the Complainant and the Accused have the right to lead evidence and to cross-examine witnesses.
- (g) The Respondent (Accused) shall file his reply to the complaint along with supporting documents and the names and addresses of the witnesses.
- (h) Upon receiving responses from both Complainant and Accused the Enquiry Committee shall provide an opportunity to both to present their side/ case and request them to present supporting documents where required.
- (i) In case the Accused is not present in person at hearing of the Enquiry Committee, the hearing shall be adjourned to a date not later than 3 working days from the date of the original hearing. The hearing shall be conducted on such adjourned date irrespective of whether the Accused is present or not, provided that proper reasons have been submitted by the Accused for not being present on that day.
- (j) The Enquiry committee will have the right to terminate the enquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent (Accused) fails, without sufficient cause, to present himself for 3 consecutive hearings convened by the Presiding Officer, provided that such termination or ex-parte order may not be passed without giving a 15 days advance notice in writing to the party concerned.
- (k) The Enquiry Committee shall conduct the enquiry in a timely manner as per Annexure – the flow of Grievance handling.



7. Action against the Guilty

A. Punishment of Offender

The Company shall take action as recommended by the ICC against any employee who is found guilty of Sexual Harassment after due inquiry by the ICC. Such action may include one or more of the following:

- (a) a warning.
- (b) a written apology.
- (c) mandatory counseling sessions or community service.
- (d) fine of an amount as decided by the ICC;
- (e) withholding of promotions or increments.
- (f) suspension from service.
- (g) termination of service.

Disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious.

The incident and action taken will be recorded in the employee's personal file.

B. Punishment for false or malicious complaints and false evidence

If the ICC concludes that a complaint is intentionally false or malicious or that any person has intentionally provided false or misleading evidence of any kind, the person who knowingly made such a false or malicious complaint or knowingly provided such false or misleading evidence may be punished in the same manner as described in Section 7A. A complaint will not automatically be treated as false or malicious just because of failure to prove that Sexual Harassment occurred.

8. Confidentiality

- (a) The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes her/his interest in keeping the matter confidential. Hence, every person who has knowledge regarding the incident shall maintain complete confidentiality under all circumstances.
- (b) The privacy and dignity of individuals must be respected and matters of Sexual Harassment must be treated with great sensitivity. Therefore, all information pertaining to any complaints of Sexual Harassment should be treated as private and confidential and should not be disclosed to anyone other than the ICC or the parties involved in the complaint and, to a limited extent, only to those persons strictly on a "need to know" basis and who are expected to implement the decisions of the ICC. Anyone breaching this obligation of confidentiality shall be liable for punishment as per recommendations of the ICC.

9. Protection to complainant/victim

- (a) The Company shall ensure that an employee who complains to the ICC or participates in the investigation of the Enquiry Committee as a witness or otherwise shall not be subject to any unfavourable treatment whatsoever during the course of his/ her employment.
- (b) The Company is committed to ensuring that an employee who brings forward a harassment concern is not subject to any form of retaliation. Any retaliation will be subject to disciplinary action.



- (c) The ICC shall be entitled to recommend to the management of the Company, interim relief(s) for the Complainant (limited to temporary transfers or reallocation of functions of the Complainant and/or the Accused) during the course of the investigation to prevent any continuing/ further gender harassment to protect the Complainant from any retaliations.
- (d) The Company will ensure that the complainant or witnesses are not victimized while dealing with complaints of sexual harassment.

10. Procedures for Dealing with Criminal Conduct

- (a) Some forms of severe sexual harassment (e.g. sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls) may constitute criminal conduct.
- (b) While the Company is committed to treating most sexual harassment complaints at a Company level as far as possible, this type of conduct is not suited to internal resolution. Such complaints will be prosecuted by the Indian Judiciary System.

11. Report to Management

- (a) A report will be sent by ICC to the management every quarter reporting on the overall status of the number of complaints received, action taken, and status of any complaint not closed.
- (b) On receipt of the consolidated report of the ICC, at the end of each calendar year, the management shall submit the report on the general compliance and implementation of this policy to the concerned government department as given in Annexure C.
- (c) As per the provision of the Prevention of Sexual Harassment Act POSH, 2013, the Company shall include the number of cases filed, if any, and their disposal under this act in the Annual Report, provided in Annexure C to this Policy.

12. Miscellaneous

The Company shall in consultation with the ICC periodically review the provisions of this policy and its implementation (taking into account the practical problems, if any, faced by the ICC and/or the Company in the implementation of this policy).

13. Amendments

The Company reserves the right to amend this policy and the related Annexures from time to time to reflect any changes in the applicable laws or even otherwise to ensure that its work environment is free from Sexual Harassment.

14. Interpretation of Policy

HR will be the sole authority to interpret the contents of this policy.

Prepared by:

(THEJASVI TV)
GENERAL MANAGER – HR&IR

Approved by:

(ANTONY CHERUKARA)
CHIEF EXECUTIVE OFFICER

ANNEXURE A – Internal Complaints Committee

VST Tillers Tractors Ltd, prohibits any form of sexual harassment in the company; such conduct will result in disciplinary action. This order revises the previous Internal Complaints Committee ("ICC") which is formed to investigate and decide complaints of Sexual Harassment in relation to its work environment. It will also promote awareness about sexual harassment, amongst the Employees.

The names and contact details of the ICC members are provided below:

Sl, No	Name	Role	Ext./ Phone	Email	Location
1	Swati Sharma	Presiding Officer	7899913047	swati@vsttractors.com	Bangalore
2	Chinmaya Khatua	Internal Members	9972339393	chinmaya@vsttractors.com	Bangalore
3	Anitha G S		8147604237	anitha.gs@vsttractors.com	Mysore
4	Gayathri V		7339222189	gayathri.v@vsttractors.com	Hosur
5	Ramprasad BS		9986651643	Ramprasad.bs@vsttractor s.com	Hosur
6	Sonal Dubey		7259599459	Sonal.d@vsttractors.com	Bangalore
7	Vanitha	External Member	9442486636		Hosur

Any aggrieved employee can directly approach the ICC or any other member of the ICC with their complaint. The ICC will follow the process as defined in POSH Policy.

The duration of each member's term shall be 2 years from the date of his or her respective appointment at the ICC.

Prepared by:



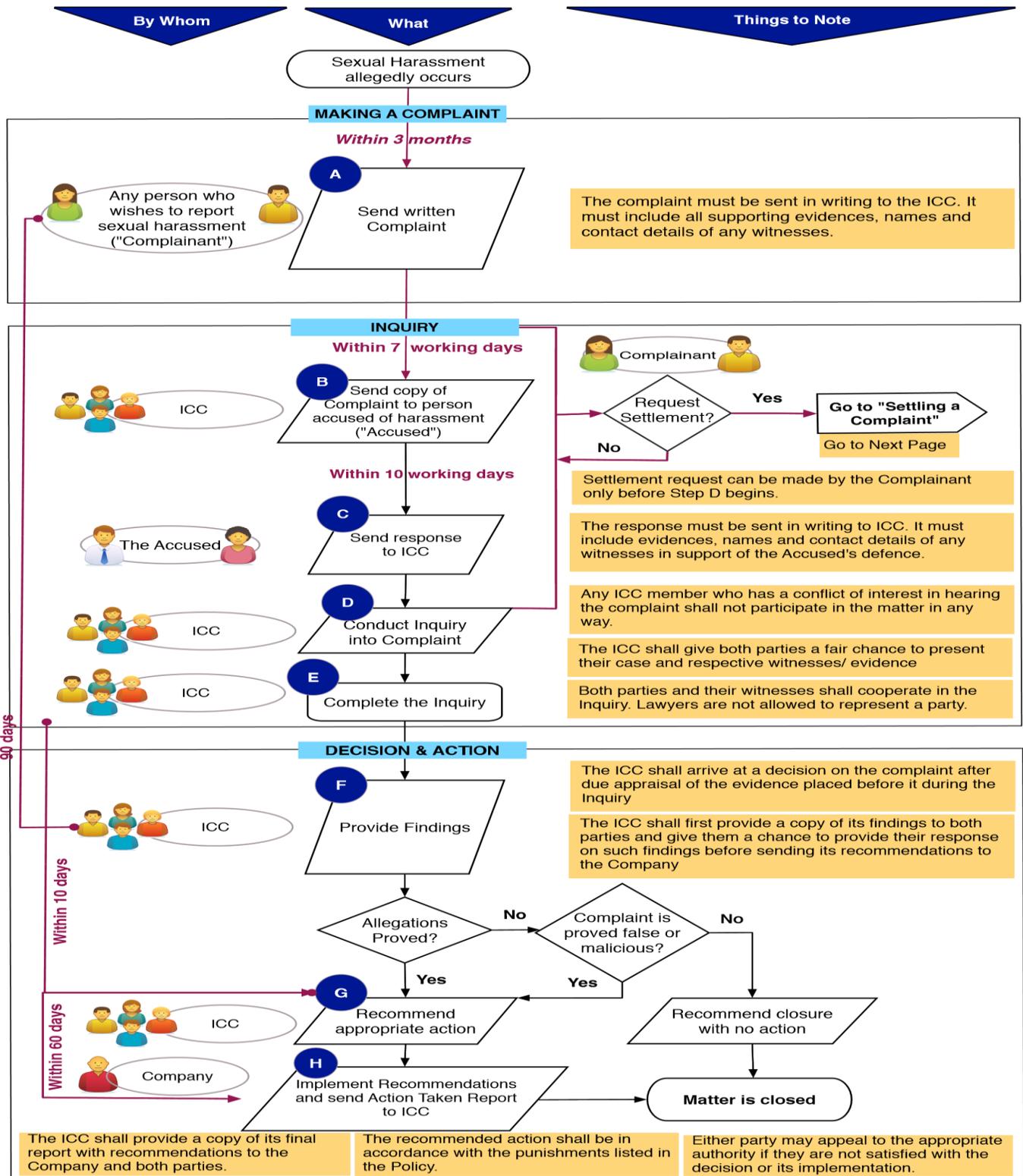
(THEJASVI TV)
GENERAL MANAGER – HR&IR

Approved by:



(ANTONY CHERUKARA)
CHIEF EXECUTIVE OFFICER

ANNEXURE B – REDRESSAL OF COMPLAINTS PROCESS

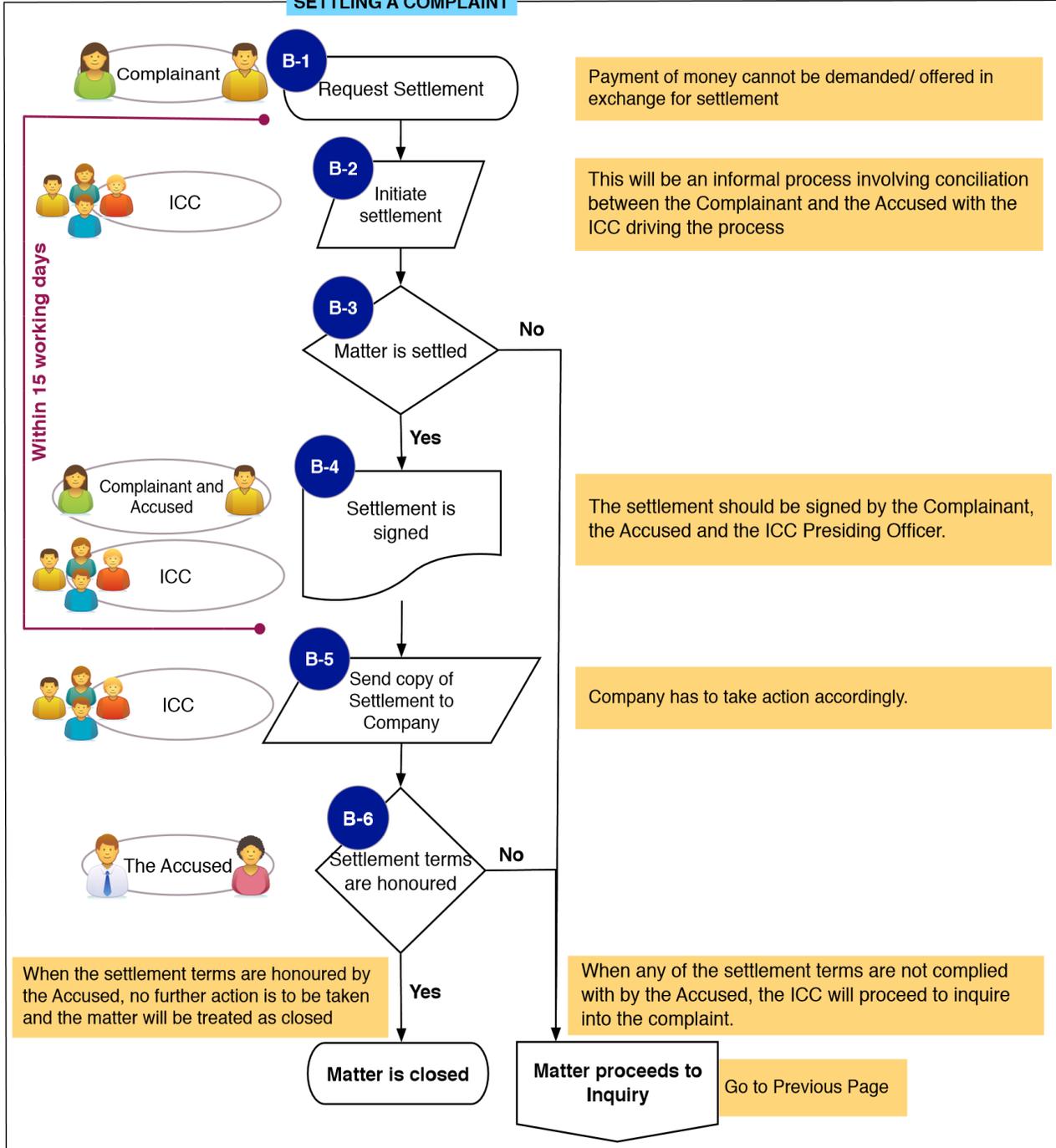


By Whom

What

Things to Note

SETTLING A COMPLAINT



Other Important Rules applicable to the REDRESSAL OF COMPLAINTS PROCESS:

- (1) The Accused should refrain from interacting with the Complainant and any of the Complainant's witnesses or retaliating against them in any manner.
- (2) During the pendency of the Inquiry, the Complainant may request the ICC to:
 - (a) transfer the Complainant or the Accused to another office of the Company;
 - (b) grant complainant leave from work;
 - (c) prohibit the Accused from appraising the work performance of the Complainant and the complainant's witnesses.

The ICC will consider such requests but is not bound to accept the same if it believes the situation does not warrant it. If the ICC accepts the request, it will recommend the implementation of the same to the Company. However, it cannot recommend granting leave exceeding 3 months. The Company will report back to the ICC on the implementation of the recommendations.

Information regarding the Complaint or the inquiry or the names or addresses of the parties involved or action taken shall not be disclosed to anyone except those involved in the inquiry and implementation of the ICC's recommendations.

ANNEXURE C – Annual Report

1. Annual Report on Sexual Harassment sample

To

The Director Women & Child Development,
Bangalore,
Karnataka

Sub: Submission of Annual Report regarding Sexual Harassment at Workplace (Prevention, Prohibition, and Redressed) Act, 2013.

Annual Reports regarding Sexual Harassment at the workplace in respect of VTTL for the period of 20YY-YY & 20YY-YY are enclosed as Annexure A for information and taking necessary action, please.

This is issued with the approval of the chairperson or Presiding officer of, internal complaint Committee.

To,

The Director Women & Child Development
Bangalore
Karnataka

Subject: Submission of the annual report as per the requirement of Section 21 (1) of Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

Respected Sir,

This is for submitting the annual report of the Internal Complaints (the year [2022]. Number of complaints received in a year	
Number of complaints disposed of in a year	
Number of cases pending for more than 90 days	
Number of awareness programmes or workshops against sexual harassment conducted in a year	
Nature of action taken by the employee	

The report has been prepared in compliance of Section 21 (1) of the Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act, 2013.

We also hereby confirm that the Company ensures that complainants or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

Yours faithfully,
[Thejasvi TV]

With the approval of the Chairperson,