



SUUMAYA CORPORATION LIMITED

Regd. Office: 542, Grand Trunk Road Near Mullick Fatak, Howrah

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Western Express Highway Goregaon (E)

Mumbai MH 400063

CIN: L51909WB2009PLC137310

POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN (POSH)

1. Introduction to the Policy

Suumaya Corporation Limited (hereinafter referred to as the “Company”, “us” and/or “our”) believes in equal employment opportunity without any discrimination or victimization of employees on the basis of their sex, marital status, family circumstances, disability, religion, belief, creed, race, nationality, ethnic or national origins, social background, sexual orientation, gender reassignment, age or part-time or fixed-term status. We do not accept or encourage any kind of verbal, non-verbal or physical conduct of a sexual nature creating an intimidating, offensive, or hostile environment for employees and every employee has the right to be protected against such harassment.

The Company along with its employees is committed to create a safe and healthy working environment within the organization that enables to work without fear of prejudice, gender bias and sexual harassment. The Company believes that all employees of the Company have the right to be treated with dignity.

The Company seeks to ensure compliance with and to perform the duties as specified under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter the “Act”) and the rules there under. The Company has a ‘zero-tolerance’ approach to any instance of sexual harassment.

This Prevention of Sexual Harassment at Workplace Policy (the “Policy”) has been enacted with the objective of providing women/men protection against sexual harassment at the workplace and to prohibit, prevent and deter the commission of acts of sexual harassment at workplace and to provide the process/procedure for the redressal of complaints pertaining to sexual harassment.

The Company is committed towards giving every employee a just and fair opportunity of being heard on issues encountered by them at the workplace in respect to sexual harassment. If you have been sexually harassed by anyone in the Company during the course of employment, The Company urges you to come forward with a written complaint as early as you can. Your complaint will be taken seriously and confidentiality would be maintained by us and shall be dealt in accordance with procedure laid down in this Policy.

Employees must be sensitive to acts or conduct which may be considered sexually offensive by fellow employees and must refrain from engaging in such conduct.

2. Scope

This Policy is applicable to all employees working in or for the Company whether permanent, temporary, probationer, ad hoc, contractual, on daily wages, trainee, apprentice, part-time or working as a consultant or on a voluntary basis or either engaged directly or through an agent or contractor or called by any other such name. This Policy shall be considered to be a part of the employment contract or terms of engagement of the persons in the above categories.

Where the alleged incident of sexual harassment occurs to our employee by a third party while on duty at the client location or outside our office premises (for example office picnic, office dinner, office outing etc.), we would perform all reasonable and necessary steps to support our employee.

3. What constitutes Sexual Harassment?

“sexual harassment” includes (but not limited to) any one or more of the following unwelcome sexually determined acts or behavior (directly or through implication):-

- (i) Physical contact and advances; or
- (ii) A demand or request for sexual favors; or
- (iii) Making sexually colored remarks; or
- (iv) Showing pornography; or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

Further, amongst other circumstances (as may be prescribed under the Act or in this Policy), if the following circumstances occur, or are present in relation to or connected with any act or behavior of sexual harassment, it may also amount to sexual harassment:-

- (i) Implied or explicit promise of preferential treatment in employment; or
- (ii) Implied or explicit threat of detrimental treatment in employment; or
- (iii) Implied or explicit threat about an employee’s present or future employment status; or
- (iv) Interference with work or creating an intimidating or offensive or hostile work environment for the employee; or
- (v) Humiliating treatment is likely to affect the health or safety of an employee.

4. Complaint process, Internal Complaints Committee and Redressal Mechanism Complaint Process

1. The formal written complaint of the alleged incident shall be duly signed by the complainant and submitted in 6 copies, along with the supporting documents and the names and addresses of the witnesses, if any. In the event such complainant cannot make the complaint in writing, any member of the Committee or the chairperson shall render all reasonable assistance to such complainant for making the complaint in writing.
2. The complaint must be filed within a period of 3 months of the occurrence of the incident. However, the Committee may allow filing of a complaint within a period of 6 months of the occurrence of the incident, if the Committee is satisfied that there were some exceptional circumstances due to which the complaint could not be made earlier. The Committee shall record the reasons in writing for extending the time period and allowing the complaint to be filed beyond 3 months.
3. We advise you to be vigilant and keep any documentary or other proof with you which can be used to substantiate an allegation. The Redressal system will work based on other evidence if you cannot produce any documentary or other evidence.
4. Subject to the provisions of the Act and the rules there under, if the aggrieved employee is unable to make a complaint himself/herself on account of ‘physical incapacity’ or ‘mental incapacity’, or death or otherwise, his/her legal heir or any person as may be prescribed under Rule 6 appended to the Act, may be allowed to make a complaint on behalf of the aggrieved employee.

5. For instance, where the aggrieved employee is unable to make a complaint himself/herself on account of 'physical incapacity' or "mental incapacity", a complaint may be filed by a friend, relative or co-worker, or a complaint may be filed by any person, who has knowledge of the incident, with the written consent of the aggrieved employee.

5. Internal Complaints Committee

An Internal Complaints Committee (hereinafter referred to as "Committee") is constituted for all administrative units/offices of the Company to look into the matters concerning sexual harassment.

For complaints related to all offices of the Suumaya Corporation Limited, the following members shall constitute the Internal Complaints Committee:

S. No	Committee Member Name	Designation	E- Mail Id
1.	Ms. Ishita Gala	Presiding officer	ishita.gala@suumaya.com
2.	Mrs. Ankti Chedda	Member	ankti.chheda@suumaya.com
3.	Mrs. Ruchita Sankhe	Member	ruchita.sankhe@suumaya.com
4.	Mr. Deepak Pareek	Member	deepak.pareek@suumaya.com
5.	Ms. Avani Chedda	External Member	avanihchheda@gmail.com

The Chairperson reserves the right to nominate more members in the Committee to ensure appropriate representation of both the gender and/or for any other valid reason.

It is hereby clarified that for the limited purposes of the Act, the Members of the Committee who are employees of Suumaya Corporation Limited shall be considered the employees of its Subsidiary(ies) or vice versa and accordingly, shall act as a Member of the Committee of respective Group Company.

Any change in Committee members and contact details of the Committee shall be communicated by the Company from time to time. The details of the Committee shall also be available with the human resource manager.

The Committee will maintain a register of complaints received by it and keep the contents confidential, except to use the same for discreet investigation.

Where the Presiding Officer or any member of the Committee contravenes any of the provisions set out herein, such Presiding Officer or member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh appointment in accordance with the provisions of this policy and the Act. In conducting the inquiry, a minimum of 3 members (including the chairperson) of the Committee shall be present.

6. Redressal Mechanism:

Once a complaint is received by the Committee, the Committee shall take prompt steps to resolve the complaint in a time bound manner and in accordance with the Act and the rules there under. The redressal mechanism shall broadly involve the following process:

1. Notice to Respondent - On receipt of the complaint, the Committee shall send one of the copies of the complaint or charge sheet to the accused person (the "Respondent") within a period of 7 (seven) working days from the date of the receipt of the complaint. The Respondent shall also be informed by the Committee that no unfair acts of retaliation or unethical action will be tolerated.
2. Respondent's reply - The Respondent shall file his reply to the complaint (along with any supporting documents or materials, list of witnesses) within a period of 10 (ten) working days from the date of receipt of the copy of the complaint.
3. Conciliation - The Committee may, at the request of the complainant, take steps to settle the matter through conciliation, provided that no monetary settlement shall be made as the basis of the conciliation. Where a settlement is arrived between the aggrieved employee and the Respondent, it shall be recorded and its copies shall be provided to the Company management and the parties. In cases of settlement, no further inquiry shall be conducted by the Committee and the Company management shall take action as per the recommendations of the Committee.

4. If the matter has been settled by conciliation, but the Respondent is not complying with the terms and conditions of the settlement arrived, the aggrieved employee can approach the Committee for redressal and the Committee shall proceed to make an inquiry into the complaint or forward the complaint to the police.

7. **Conducting Inquiry** – In case the conciliation fails or the respondent is not complying with the terms (and the complaint received from

complainant for such non-compliance has not been forwarded to Police), the Committee members will give opportunity to both the parties to be heard and record all statements, examination and cross-examination of the witnesses if any, of both the parties in the form of question and answer and signed by the witness. The parties to the complaint can also submit any corroborative material such as a documentary proof and other material to substantiate their claims. The aggrieved employee has a right to be accompanied to such meetings by a work colleague or a friend or a relative.

1. The Committee shall call upon all witnesses mentioned by both the parties.
2. The Committee can ask for specific documents from a person or any of the party to the dispute, if it feels that they are important for the purpose of investigation.
3. During the pendency of the inquiry, on the request of the complainant, the Committee may recommend the Company to transfer the complainant or the respondent to any other workplace, or grant leave to the complainant till the inquiry gets completed.
4. The Committee shall make the inquiry into the complaint in accordance with the principles of natural justice. The Committee will exercise the powers vested in it as per the Act.
5. The Committee shall have the right to terminate the inquiry proceedings, or to give an ex-parte decision on the complaint, if the complainant or the respondent fails, without sufficient cause, to present himself//herself for three consecutive hearings convened by the chairperson of the Committee. Provided that a written notice of at least 15 (fifteen) days is given to the parties before making such ex parte order.
6. After the inquiry meetings with the complainant, the respondent and the witnesses, the Committee shall give a report of its findings to the Company. The complainant and the Respondent shall be informed of the outcome of the investigation and such report made available to the concerned parties to the complaint. The Committee shall complete the inquiry within reasonable period, but not exceeding 90 days from the date of receipt of complaint.
7. 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 Committee.
8. If the Committee concludes that the complainant has been sexually harassed as claimed,

the Respondent will be subjected to disciplinary action accordingly.

8. Inquiry Report –

The report of the Committee shall be treated as an inquiry report on the basis of which appropriate action can be taken against an herring employee. The Committee's report of the investigation (including its findings, recommendations) shall be communicated to the Company management, the Respondent and the complainant within 10 days of completion of the investigation. The Company will act on the recommendations of the Committee within 60 days of the receipt of the report.

9. Committee's report and recommendations

Based on its inquiry the following actions may be taken by the Committee, in consultation with the Company management and the human resources manager:

1. Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the Respondent and appropriate relief shall be granted to the aggrieved employee. Subject to the provisions of the Act, the Committee may recommend actions such as written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from service or undergoing a counselling session or carrying out community service and payment of compensation to the complainant in accordance with the Act. This action shall be in addition to any legal recourse sought by the complainant.
2. In case the Committee is of the opinion that the alleged offence is coverable under the Indian Penal Code, 1860, then this fact shall be mentioned in its report and appropriate action will be initiated by the management, or the aggrieved employee, for making a police complaint. Company will provide assistance to the aggrieved employee, if such person chooses to file a complaint in relation to the offence.
3. If the complaint does not fall under the purview of sexual harassment or the complaint does not mean an offence of sexual harassment, the same may be dropped after recording the reasons thereof.
4. In the event the Committee arrives at a conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Company management that no action is required to be taken in the matter.

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behavior by the accused against the complainant while the investigation is in progress should be reported by the complainant to

the Committee as soon as possible. Disciplinary action will be taken by the Committee against any such complaints which are found genuine.

10. False Accusations

The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by the Company. However, there shall be zero tolerance for any false accusation.

If the Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved employee or any other person making the complaint on behalf of the aggrieved employee produced false or forged or misleading documents to prove his/her case or knowingly filed a false complaint, the Committee may recommend action to be taken against the person who has made the complaint, such as written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, termination of employment or undergoing a counselling session or carrying out community service.

In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

11. Right to Appeal

Any person aggrieved, from the recommendations in the inquiry report may prefer an appeal within a period of 90 days from the date of the inquiry report. Subject to the provisions of the Act, the appeal may be made to the competent authority as may be prescribed under the Act and the rules there under.

12. General Guidelines

Interim measures - The Committee may take interim measures during the pendency of the inquiry proceedings. In this regard the Committee may be guided by the Company disciplinary policy. The Committee may recommend such as special counselling for the victim; or any other appropriate action. The Company management shall take steps to reasonably assist and support the victim and implement the interim measures as per the recommendations of the Committee. In order to ensure that the victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment, the victims of sexual harassment may request the Company in writing to seek an alternate work arrangement ensuring limited contact with the accused perpetrator.

Cooperation - The Company management and its employees shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy.

Annual report - The Committee shall prepare an annual report at the end of the year, about all complaints received, their resolution and its working, in the manner and form as prescribed under

the Act and the rules there under. The annual report shall be submitted to the Company management.

Confidentiality - The Committee members and the Company will make every effort to maintain the confidentiality of the parties, investigation and inquiry proceedings, findings and report. However, the Company may need to disclose the information and/or results in appropriate circumstances in order to conduct an investigation or take corrective action. The Committee members and the Company will make every effort to ensure that no information is disclosed to public, press and media.

Evidence - If the parties desire to tender any documents by way of evidence before the Committee, or to have any witnesses called, they shall supply original copies of such documents and communicate in writing to the Committee the names of witnesses whom they propose to call. The party submitting any documentary proof shall affix his/her signature on the respective documents to certify the documents to be original copies.

Awareness - This Policy shall be disseminated to each employee of the Company as well as new recruits who shall be required to comply with the Policy. Each employee will have to acknowledge in writing that they have read and understood the Policy and that they shall abide by the Policy.

Policy Implementation and Review- Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so and as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee from time to time.