POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH POLICY)

I. OBJECTIVE:

MONARCH SURVEYORS AND ENGINEERING CONSULTANTS LIMITED (hereinafter to be called as "the Company") is committed to create a secure work environment where all its stake holders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation.

The Company values each and every employee working with Monarch and is committed to protect their dignity and self-respect. Further, the Company is determined to maintain personal dignity; promote a working environment where both genders complement each other as equals and to strive for maximum productivity.

The Company wishes to maintain a work environment that fosters personal and professional growth for all employees. Maintaining such an environment is the responsibility of every staff person. The Company is committed to provide a harassment- free environment for its employees. Mutual respect, along with cooperation and understanding, must be the basis of interaction between members and staff.

The Company will neither tolerate nor condone behaviour that is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile or offensive environment.

All the employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

II. SCOPE:

The Policy on **"Prevention of Sexual Harassment"** (POSH Policy) covers every "employee" of the Company.

Sexual Harassment shall be irrespective of sex, between same sex or opposite sex. Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent.

III. DISSEMINATION OF THE POLICY:

A copy of this Policy shall be given to all employees and to all new joinees and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.

IV. DEFINITIONS:

a) "Act" means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 including amendments thereto;
b) "Aggrieved Person" means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent
c) "Company" means 'Monarch Surveyors and Engineering Consultants Limited'.
d) "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;
e) "Employer" means Chairman and Managing Director of the Company or any other Officer declared as such in its service rules.
f) "Internal Complaints Committee (ICC)" / "Vishaka Committee" means a committee constituted by Company as per this policy.
g) "Respondent" means a person against whom the aggrieved person has made a complaint.
h) "Sexual Harassment" includes one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

i. Physical contact and advances; or
ii. a demand or request for sexual favours; or
iii. making sexually coloured remarks; or
iv. showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets, or sayings; or
v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

In addition, the following acts 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:

i. implied or explicit promise of preferential treatment in the employment;
ii. Implied or explicit threat of detrimental treatment in the behaviour;
iii. Implied or explicit threat about their present or future employment status;
iv. Interfering with their work or intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
v. humiliating treatment likely to affect the health and safety of the aggrieved person.
vi. any other acts or behaviour, any reasonable person views as such

g) "Workplace" includes all Company premises and shall include any place visited by the employee in the course of employment including transportation provided by the employer

for undertaking such journey. Word and Expressions used and not defined in this policy shall have the meanings respectively assigned to them in the Act.

V. VISHAKA COMMITTEE:

1. In view of the Section 4 (1) of the Act to inquire and advice suitable action on the complaints on Sexual Harassment, the Company hereby constitutes a Committee called as "Vishaka Committee or Internal Complaints Committee (ICC)". The Committee shall be constituted by the following members nominated by the employer:

   (a) A Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees. In case of non-availability of senior level woman employee, the Presiding Officer shall be nominated from other officers or administrative units of the work place.

   (b) Not less than two (2) Members from amongst employees of the Company preferably committed to the cause of women or who have had experience in social work or have legal knowledge.

   (c) One (1) member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment provided that at least one-half of the total Members so nominated shall be women.

   Accordingly, the Committee shall consist of the following members:

S.No.	Name	Position
1.	Sona Dhoot	Presiding Officer
2.	Sangeeta Bhandare	Member
3.	Deepa Savant	Member
4.	Shravasthi Salave	Member
5.	Hema Salunkhe	Member
6.	Dnyaneshwar Patil	Member
7.	Tanvi Shah	External Member

   Every complaint received shall be forwarded to the ICC for investigation, inquiry.

   The committee members on need basis will be provided with necessary training to handle such matters effectively and with the required sensitivity and concern.

VI. ROLE OF COMMITTEE:

a) The Committee shall decide whether the facts contained in the complaint make out a case of "sexual harassment" in light of the definition contained in the Policy.
b) The Committee shall look into the truth of the allegations contained in the complaint.

c) The Committee shall look into the truth of any allegation of retaliation against / victimization of the complainant or any other person assisting her as a result of such complaint having been made or such assistance having been offered.
d) The Committee shall recommend the penalties / action to be taken against any person found guilty of having sexually harassed the complainant, up to and including termination, to the Management.
e) The Committee shall recommend the penalties / action to be taken against any person found guilty of having retaliated against / victimized the complainant or any other person assisting her as a result of such complaint having been made or such assistance having been offer.
f) The Committee shall recommend appropriate psychological, emotional and physical support (counselling, security and other assistance) for the victim to the Management.
g) The Committee shall monitor the follow-up action to be taken by the Management on receipt of the Report of the Committee.

OBJECTIVE OF COMMITTEE:

The objectives of the Committee are:

a) Prevent discrimination and sexual harassment against women, by promoting gender amity among employees;
b) Make recommendations to the Management for changes/elaborations in the Rules for employees, to make them gender just and to lay down procedures for the prohibition, resolution, settlement and prosecution of acts of discrimination and sexual harassment against women.
c) Deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment;

VII. DOCUMENTATION:

The committee shall keep complete and accurate documentation of the complaint, its investigations and the resolution thereof. The incident would be documented in both the complainant's and the accused files with the full report of the Complaints Committee.

VIII. COMPLAINT REDRESSAL MECHANISM:

1. When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.
2. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Committee for redressal of their grievance.
3. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

4. A complaint of discrimination or sexual harassment may be lodged by the victim or a third party. Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the Chairman of the Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident, which may further be extended for a period not exceeding three months by ICC by recording the reasons in writing, if circumstances were such which prevented the aggrieved from filing a complaint within the said period. If the complaint is made to any of the Committee members, they may forward it to the Chairman of the Committee.
5. Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of ICC shall render all reasonable assistance to the aggrieved for making a complaint in writing.
6. Where the aggrieved employee is unable to make a complaint on account of their physical or mental incapacity or death or otherwise, (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.
7. The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
8. 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.
9. On receipt of such complaint, ICC shall provide a copy of such complaint along with supporting documents to the Respondent within 7 working days.
10. 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 working days fromthe date of receipt of the documents from ICC.
11. ICC shall investigate the complaint in detail by giving reasonable opportunities for both the parties. For the purpose of making an inquiry, under this policy, ICC have the power of a civil court, vested in it, in respect of:
    a. Summoning and enforcing the attendance of any person and examining him under oath;
    b. Requiring discovery and production of documents;
    c. Any other prescribed matter.
12. During the enquiry process, the Complainant and the Respondent shall refrain from any form of threat, intimidation or influencing of Witnesses.
13. The Committee shall ensure confidentiality during the enquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses. All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.
14. ICC shall have the right to terminate the enquiry 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, 15 days in advance, to the party concerned.
15. The ICC must complete its investigation within a period of 90 days.
16. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
17. For conducting the enquiry, the quorum of the ICC shall be of 3 members including the

presiding officer.

18. The ICC may before initiate an enquiry, and at the aggrieved party's request, attempt to settle the matter between them through conciliation. However, it shall ensure that:
    a. No monetary settlement made as a basis of conciliation.
    b. Where a settlement has been arrived, the ICC record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation. A copy of the same shall be provided to the aggrieved and the respondent.
    Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the ICC.

19. For any queries, concerns, or assistance relating to the Prevention of Sexual Harassment (POSH) Policy, employees may write to posh@monarchltd.com

20. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
    a. To transfer the aggrieved person or the respondent to any other workplace
    b. Grant leave to the aggrieved person, up to three months with salary which is in addition to leave to which he/she is otherwise entitled.
    c. Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the work place.

IX. ACTIONS:

1. The committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to both Aggrieved and Respondent.
2. If the allegation against the Respondent has not been proved, the Committee may recommend not to take any action in the matter.
3. If the ICC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to consider sexual harassment as a misconduct and take action in accordance with the provisions of the Service Rules of the Company.
4. Such action shall be taken within 60 days of the receipt of report.
5. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Committee shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive act.

X. FALSE ALLEGATIONS:

1. The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
2. On inquiry, if the ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the ICC may recommend to take action against the person who made the complaint as per Service Rules. In such a case, malicious intent has to be established after an enquiry in

accordance with the procedure prescribed, 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 ICC concludes, that he/she has given false evidence or produced forged or misleading documents.

3. 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 by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant.
   while the investigation is in progress should be reported by the complainant to the complaints committee as soon as possible. Disciplinary action will be taken by the Complaints Committee against any such complaints which are found genuine.
4. The above provision is not to discourage employees from coming forward with complaints. The Company recognizes and expects certain claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to conclude as Sexual Harassment. Complaints falls under the above, shall not be considered to be false accusations.

XI. DISCIPLINARY ACTION:

Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal or any other action as may deem fit by the Committee. This action shall be in addition to any legal recourse sought by the Complainant.

XII. AWARENESS AND RESPONSIBILITIES:

1. All the women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
2. An awareness program shall be conducted among the women employees on the Policy & formation of ICC.
3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at work place.
4. Company shall display the notice showing the name of the ICC members suitably.
5. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.
6. All individuals must follow this policy and shall coordinate for effective implementation of this policy.

XIII. MISCELLANEOUS:

All proceedings, including the statements and other material adduced as evidence before the Committee shall be strictly confidential. The Committee shall take all steps to ensure

that the parties before it and their representatives shall maintain strict confidentiality in all respects.

a) The decision of the Committee on any matter within its competence shall be considered final and no appeal / challenge to the same shall lie to any person.
b) The Management shall scrutinize the report and recommendations of the Committee and take appropriate action against the guilty person in accordance with the Guidelines, Policy, and gravity of the behaviour disclosed in the Committee's report.
c) In case the conduct disclosed in the Committee's report is of a nature that amounts to a criminal offence under the law of the land, appropriate action shall be initiated by the Management, for making a police complaint in respect of the same.
d) The Management shall scrutinize the report and recommendations of the Committee and take appropriate action to provide the victim with necessary psychological, emotional and physical support.
e) In case of sexual harassment of any woman employee by any person not employed by company, the Management shall take all steps necessary and reasonable to assist the affected woman employee in terms of providing her with psychological, emotional and physical support and enabling her to take recourse to the law.
f) The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
g) Company with the approval of Competent Authority 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 as long as it complies the Act.
h) Any such alterations or amendment or rescinding will be intimated to the employees.
i) Nothing contained in this Policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

QUARTERLY & ANNUAL REPORT:

a) The chairperson of committee shall furnish consolidated quarterly report to the employer after the meeting held by the committee members on every quarter with the below details:

    a. Number of Complaints of sexual harassment received during the year;
    b. Number of complaints disposed of during the year;
    c. Number of cases pending for more than 90 days;
    d. Date of Complaint;
    e. Allegation in brief;
    f. Present status of case;
    g. Number of workshops or awareness program against sexual harassment carried out;
    h. Nature of action taken by the employer;
    i. Any order pass by the disciplinary authority with date;
    j. or if not, Nil report

b) The committee shall in each financial year, prepare & submit report to the employer with the following details:

a. Number of complaints of sexual harassment received in the year
b. Number of complaints disposed of during year
c. Number of cases pending
d. Submission of reports with no issue raised during the year.

XVI. CONCLUSION:

1. Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz. the person filing the charge, potential witnesses, and the person accused of improper behaviour. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.
2. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.
3. The decision of the Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

For Monarch Surveyors and Engineering Consultants Limited

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