

A. PREVENTION OF SEXUAL HARASSEMENT

1. Policy

- a) APAC is an equal employment opportunity group and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the group have the right to be treated with dignity. Sexual Harassment at the work place or other than the work place, if involving employees, is a grave offence and is, therefore, punishable.
- b) The Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

2. Scope

This Policy extends to all Directors & Employees of the group.

Sexual harassment would mean and include any of the following:

- a) Unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- b) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affects her/his performance;
- c) Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- d) Act or conduct by a person in authority which creates an environment at the workplace which is hostile or intimidating to a person belonging to the other sex;
- e) Conduct of such an act at the work place or outside in relation to a third-party contract employee during the course of employment; and
- f) Any unwelcome gesture by an employee having sexual overtones

"Employee" means any person on the rolls of the Company including those on deputation, contract, temporary or part time employees or those working as consultants.

3. Prevention of Sexual Harassment Committee

A 4-member Prevention of Sexual harassment committee ("Committee") has been constituted by the Management to consider and redress complaints of sexual harassment. The chairperson and members of the Committee shall be advised by HR to all employees.

One of the Committee member shall be an invitee from an NGO or someone familiar with issues related to sexual harassment.

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the chairperson and at least two other members, one of whom shall be a lady.

4. Redressal Process and Preliminary Investigation

Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of such incident(s).

The Committee will maintain records to support the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

The Committee will hold a meeting with the complainant within five days of receipt of the complaint, but no later than a week in any case.

At the first meeting, the Committee members shall hear the complainant and record her/his allegations. The complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the complainant does not wish to depose personally due to embarrassment in narration of the event(s), a lady officer for lady employees involved and a male officer for male employees involved shall meet and record the statement. (The Committee will maintain a record of material evidence and statements of the complainants and the witnesses if any).

Thereafter, the person against whom the complaint is made may be called for a deposition before the Committee by issuing a notice and an opportunity will be given to him / her to give an explanation. If the explanation given is found to be unsatisfactory the concerned staff member shall be issued a charge-sheet cum notice of enquiry where after an enquiry shall be conducted and concluded. A suitable enquiry officer will be appointed to conduct the enquiry in fair and impartial manner.

In the event the complaint does not fall under the purview of sexual harassment or the complaint does not constitute an offence of sexual harassment in the opinion of the Committee, the same would be dropped after recording the reasons therefor.

In case the complaint is found to be false, the complainant shall, if deemed appropriate, be liable for appropriate disciplinary action by the Management.

5. Enquiry Process

The Committee shall proceed with the enquiry and communicate the same to the complainant and person against whom the complaint has been made.

The Committee shall prepare and hand over a statement of allegation (by issuing a charge sheet) to the person against whom the complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.

The complainant shall be provided with a copy of the written explanation submitted by the person against whom the complaint is made.

If the complainant or the person against whom the complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of the witness/es whom they propose to call.

If the complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix their respective signatures on the respective documents to certify these to be original copies.

The Committee shall call upon all witnesses mentioned by both the parties.

The Committee shall provide every reasonable opportunity to the complainant and to the person against whom the complaint is made, for putting forward and defending their respective cases.

The Committee shall complete the enquiry within a reasonable period not exceeding three months and communicate its findings and its recommendations for disciplinary action to the Management. The report of the Committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment.

The Management will direct appropriate action in accordance with the recommendations proposed by the Committee.

The Committee shall be governed by the existing rules and regulations as well as any rules that may be framed by any other legislation enacted later on as well as any orders of the courts.

6. Other Points

The Committee may recommend to the Management action, which may include transfer or any other appropriate disciplinary action.

The Management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, APAC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action may be initiated by the Management for making a police complaint.

At the end of each financial year, the Committee shall submit a report on all complaints and their status to the board of the relevant company.

Guidelines in the above policy can be relaxed only in exceptional cases with the written approval of the CEO & the Group Chief People Officer.

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