

Richesm Healthcare Pvt Ltd

PREVENTION OF SEXUAL HARASSMENT POSH POLICY

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1. Introduction

RichesM Pvt Ltd (the “Company”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender or racial bias and sexual harassment. The Company believes that all employees of the Company have the right to be treated with dignity. The Company does not tolerate any behaviour that is detrimental to a healthy working environment.

Following the enactment of THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 by the Government of India, Ministry of Law and Justice on 9th December 2013, sexual harassment of employees occurring in the workplace is an offence and is, therefore, punishable.

The Company will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, prompt and appropriate corrective action by conducting an enquiry as is necessary, including disciplinary action, will be taken in accordance with the relevant Service Rules and the Company Policy

2. Scope

This Policy extends to all employees of RicheM and its subsidiaries, as well as JVs, whether on probation or permanent, including those on deputation, contract, part-time or working as Consultants, trainees, interns, unless explicitly stated otherwise. The policy is also applicable to any vendor resource working in the company premises, including extended work place.

Sexual harassment includes any unwelcome behaviour of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated.

This may include (but is not restricted to):

- 1.1. An unwelcome physical contact and advance
- 1.2. A request for sexual favours
- 1.3. Unwelcome comments about someone's sex life, physical appearance or clothes.
- 1.4. Leering and ogling
- 1.5. Sexually offensive comments, stories or jokes, obscene messages/MMS/pictures through mail/SMS or WhatsApp.
- 1.6. Displaying sexually offensive photos, pinups or calendars, reading matter, objects or on clothes
- 1.7. Sexual propositions or continued requests for dates
- 1.8. Physical contact such as touching or fondling, or unnecessary brushing up against someone
- 1.9. Indecent assault or rape (these are criminal offences).

Further, the following behaviour or acts shall also amount to Sexual Harassment

- Implied or explicit promise of preferential treatment in her/his employment, or
- Implied or explicit threat of detrimental treatment in her/his employment, or
- Implied or explicit threat about her/his present or future employment status, or
- Interference with her/his work or creating an intimidating or offensive or hostile work environment for her/him, or
- Humiliating treatment likely to affect her/his health or safety

3. Procedure

Any employee, who feels he/she is being sexually harassed directly or indirectly, may give a written complaint of the alleged incident to any member of the Committee (table below) within (3) three months of the occurrence of the incident. This period may be increased by another (30) thirty days by the IC if the reason for such a delay is bonafide/legitimate/genuine

Complaints may be made in writing and submitted to the members of the committee. An e-mail id ashish@richesm.com has been set up for this purpose. Alternatively, employees can also reach out to the Regional SPOCs.

The IC will hold a meeting with the Complainant within (7) seven days of the receipt of the written complaint. At the first meeting, the Committee members shall hear the aggrieved party and record her/his signed statements. The aggrieved party can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate his/her complaint. In the event that the aggrieved party cannot make the complaint/statement for reasons including death, poor health, or medical rest then a relative may make the complaint / statement on the behalf of the employee.

Thereafter, the person against whom the complaint is made shall be called for a deposition before the Committee and an opportunity will be given to him/her to give an explanation and his/her statement shall be recorded and signed. Thereafter IC shall within 10 (ten) days from the date of completion of the enquiry, furnish a report documenting its findings and recommendations to the employer. This report shall be shared with both the concerned parties. The IC shall ensure that the enquiry concludes within 90 days from the date of filing or as modified by law thereafter.

In the event the allegations are proven then the IC recommendations to the employer shall include (but not be limited to):

1. Action for sexual harassment as misconduct as defined in the relevant service rules, if not then Section 509 IPC shall be applicable
2. Deduction from the salary for the respondent such sum as, the IC may consider appropriate and such sum shall be paid to the aggrieved party or a legal heir.

4. Internal Committee

RichesM IC can be asked to cover employees from all subsidiaries and JVs not listed below.

	Name	Role	Location	Email ID	Contact No
1	Ashish Aggarwal	Director; Member - Internal Committee	Noida	ashish@richesm.com	9650240044
2	Dilmeet Kaur	Director; Member - Internal Committee	Allahabad	dilmeet@richesm.com	9910974289
3	Amit Tewari	Legal Advisor; Convenor - Internal Committee	Noida	advamittewari@gmail.com	9999918672
4	Shruti Srivastava	Company Secretary; Member - Internal Committee	Noida	cs@richesm.com	9354335856

5. Role of Internal Committee

The Internal Committee (IC) is set up in an organization to act as an Inquiry Authority on a complaint of sexual harassment. The IC comprises of internal panelists – minimum of two

female and one male employee and one external representative (female) who has significant experience working with NGOs.

The role of the external member of the IC:

1. Be available 1 day each month to review and advise on cases handled by the IC of RichesM its subsidiaries and JVs
2. A) Be available to investigate and review cases and document them. B) Travel to locations in case the incidence is deemed critical
3. As per norms be available for a meeting once a quarter.
4. Prepare reports for Board meetings

6. Punishment

The punishment meted out to the employee confirmed of having committed sexual harassment at the workplace is as per the Indian Penal Code or the relevant Service Rules

- 3 years' simple imprisonment and fine (Section 509 IPC)
- 3 years' simple imprisonment and fine (Section 352 IPC)
- Dismissal from service without notice (Misconduct (standing orders/service rules and regulations/ employee manual))

The Punishments listed above are for the offences referred herein. It is to be noted that the charged employee may be awarded more or less punishment depending on the unique set of facts that related to his/her case.

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.

In case, the allegation is found to be true, the Company will direct appropriate action against the harasser in accordance with the recommendation proposed by the Committee. The said recommendation shall be in accordance with the service rules, and the law of the land.

In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action as per the pertinent service rules and the law of the land.

In case the complainant or the accused employee is not satisfied with the decision of the

investigating committee he/she can request an appeal and review of the case with the Appellate Authority mentioned above. Such an appeal shall be preferred within 90 (ninety) days.

In case the aggrieved employee is unwilling to lodge a formal complaint, any colleague with the knowledge of the incident is expected to inform the IC under the Policy, however the colleague cannot raise a formal complaint with the IC on behalf of the employee. The investigation process, in such cases will follow the procedure listed above.

The IC shall annually compile a list of cases in that year and furnish this report to the employer and the district officer. Further the employer shall incorporate the referred report in its Company Annual Report.