



## PREVENTION OF SEXUAL HARASSMENT POLICY (POSH POLICY)

### OBJECTIVE

**Tuticorin Alkali Chemicals and Fertilizers Limited.**, ("Company") is committed to create a secure work environment where all its stakeholders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation and are treated with dignity and respect.

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 objective of POSH policy (The Policy) is to provide protection against Sexual Harassment of women at workplace.

As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("**POSH Act**") and rules thereunder, the Company has framed this Policy and adopted the same. While this Policy covers all the key aspects of the Act, for any further clarification, reference shall always be made to the Act and the provisions of the Act shall prevail.

The Company is committed to the effective dissemination of this policy.

### 1. APPLICABILITY

This Policy extends to all employees of the Company, including those employed on a regular, temporary, including a contractor.

### 2. SCOPE

The scope of this policy extends to all Workplaces including factory, project locations, all warehouses & offices.

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.





### 3. DEFINITIONS:

**Sexual Harassment:** Sexual harassment includes any one or more of the following unwelcome acts but not limited to:

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

An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this policy.

#### **Aggrieved Individual**

An Aggrieved Individual, in relation to a workplace, is a person, of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment.

#### **Complainant**

A Complainant is any Aggrieved Individual who makes a complaint alleging Sexual Harassment under this Policy.

#### **Respondent**

A Respondent means the person against whom the Complainant has made a complaint.

### 4. INTERNAL COMPLAINTS COMMITTEE

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same an Internal Complaints Committee ("ICC") is constituted consisting of:

- A Presiding Officer who is a senior-level woman employee
  - At least two members who are employees, preferably with experience in social work, legal knowledge, or a commitment to women's causes
  - At least half of the members should be women
  - One member should be from a non-governmental organization or an association that supports women's causes
- i. The Presiding Officer and every member of the ICC shall hold office for a period not exceeding two years, from the date of their nomination.
  - ii. A member of the ICC may resign at any time by tendering his/her resignation in writing to the Company.





- iii. As per the POSH Act, the ICC shall while inquiring into a complaint of Workplace sexual harassment, have the same powers as vested in a civil court under CPC, 1908 when trying a suit.

The ICC is responsible for:

- Receiving complaints of sexual harassment at the Workplace;
- Initiating the inquiry and procedure as per this Policy;
- Submitting the report and recommendations to the management;
- Coordinating with the management in implementing appropriate action;
- Maintaining strict confidentiality throughout the process as per this Policy; and
- Submitting annual reports (calendar year) in the prescribed format and submit the same to the management and District Officer.

## 5. PROCESS:

### Lodging A Complaint

(a) Any Aggrieved Woman may make, in writing a complaint of sexual harassment to the ICC along with any documentary evidence available, names of witnesses, within three months from the date of incident.

(b) If the Employee cannot make such a complaint in writing, the Presiding Officer or any Member of ICC would render all reasonable assistance to the woman for making the complaint in writing.

(c) If the Aggrieved woman fails to submit the complaint within three months from the date of the incident, the ICC may extend the time limit up to three months and in that case, the reason for such extension shall be recorded in writing.

(d) The Complaint shall be submitted by the Complainant to the ICC in writing or shall be submitted electronically at the following email: [admins@tacfert.com](mailto:admins@tacfert.com). The complaint can also be submitted physically to any ICC Member.

(e) If the complaint is received by any person other than an ICC Member, upon receiving such a complaint, it is the responsibility of the complaint receiver to report the same to the committee immediately.

(f) If the complaint is made against a guest or any other person who is not an Employee of the Company, the ICC shall advise the Complainant to file a complaint with the police immediately. The option of whether the complaint should be filed with the police or not is left with the Complainant, but the support of Company in filing the complaint will always be ensured.

(g) Upon receipt of the complaint, one copy of the complaint shall be sent to the Respondent within 7 (seven) days.





(h) Upon receipt of the copy of the complaint, the Respondent is required to reply to the complaint within 10 (ten) working days.

#### **Conciliation**

The Aggrieved Woman has the option to opt for conciliation proceedings before initiating an enquiry. Upon receipt of such a request for conciliation, the ICC may take steps to settle the matter between her and the Respondent through conciliation. ICC shall ensure that monetary settlement shall not be a basis of conciliation.

#### **Inquiry**

(a) The ICC shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.

(b) The inquiry shall be completed by the ICC within a total of 90 (ninety) days from the receipt of the complaint;

(c) No legal practitioner will be allowed to represent any party at any stage of the inquiry procedure;

(d) All statements made orally before the ICC employees, witnesses or other persons in relation to an investigation shall be minuted and signed by the person making the statement;

(e) The ICC shall conduct an inquiry into the matter of the principles of natural justice and shall hear both Parties and their submission before taking any decision;

#### **Interim Relief**

During the pendency of an inquiry, if the Complainant makes a written request, the ICC may recommend the Company to:

- transfer the Aggrieved Woman or the Respondent to any other Workplace;
- grant leaves to the Aggrieved Woman up to a period of three months. Such leave shall be in addition to other leaves granted to the Aggrieved Woman; or
- grant other such relief to the Aggrieved Woman as may be appropriate

#### **Termination of Inquiry**

The ICC 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 herself or himself for three consecutive hearings.





## 6. RELIEF:

### Complaint Unsubstantiated

- (a) Where the ICC arrives at the conclusion that the allegation against the Respondent has not been substantiated, it sends a report to the management of closing the complaint.
- (b) Where the ICC arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved Woman has made the complaint knowing it to be false it may recommend to the management to take appropriate action against such person.

### Complaint Substantiated

Where the ICC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the management:

- (i) to take action for sexual harassment as a misconduct in accordance with company rules;
- (ii) to deduct from the salary of the Respondent (notwithstanding anything in the employment terms) such sum as it may consider appropriate to be paid to the Aggrieved Woman in accordance with Section 15 of the POSH Act.

## 7. COMPANY'S RESPONSIBILITY:

- (a) Treat Sexual Harassment as misconduct under the service rules and take appropriate action for the same.
- (b) The Company will display the details of ICC, penal consequences of sexual harassment and other information on a visible place in the premises of the Company.
- (c) The Company will conduct workshops and awareness programmes at regular intervals and employees are required to attend those programmes.
- (d) provide assistance to the Complainant if the Complainant chooses to file a complaint in relation to the offence under Bharatiya Nyaya Sanhita (BNS), 2024 (earlier known as IPC) (Section (S. 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested **without a warrant.**)

## 8. OTHER SALIENT POINTS:

### Appeal

Any person aggrieved from the recommendations of ICC under this Policy or non-implementation of such recommendations may prefer an appeal to the Court within a period of 90 (ninety) days of the recommendations of ICC.





### No Retaliation

While dealing with complaints, the ICC shall ensure that the Complainant, witnesses, and any other person providing the information are not victimized or discriminated against in any manner and will be protected from any form of retaliation.

### Confidentiality

The contents of complaint made under this Policy, the identity of the Aggrieved Woman, Respondent and witnesses the actions taken by the management etc., under the provisions of this Policy shall not be published in public unless specifically allowed under the POSH Act.

## 9. CONCLUSION

- 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 behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.
- The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.
- 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 Tuticorin Alkali Chemicals and Fertilizers Limited.,

(E. Rajesh Kumar)  
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