

NG INDUSTRIES LTD

CIN: L74140 WB 1994 PLC 065937, GSTIN: 19AABCN6332QIZX

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email: ngmail@ngil.co.in, website: www.ngind.com

1st Floor, 37A Southern Avenue, Kolkata – 700 029 (Renamed as Dr. Meghnad Saha Sarani)

POLICY FOR PREVENTION, PROHIBITION & REDRESSAL OF SEXUAL HARASSMENT

I. Preface

N G Industries Limited (“NGIL BOARD”) follows the philosophy of respecting the dignity of all individuals as enshrined under the Constitution of India. More so, we strive to foster a work environment that is conducive to the professional growth of our women employees and encourages equality of opportunity. Sexual harassment of a woman at work seriously undermines her right to live with dignity. Such conduct is wholly incompatible with the policy of the company to provide a work environment free from harassment, discrimination, intimidation and insult in any form.

NGIL BOARD will not tolerate any form of sexual harassment against any woman within its premises and is committed to take all necessary steps to ensure that women are not subjected to any form of harassment.

II. Objective

The main objective of creating this policy document is to establish an easily accessible complaint redressal mechanism within the legal framework to effectively deal with incidents of sexual harassment of women and to ensure redressal of such complaints in a fair, confidential and timely manner.

III. Applicability

This policy is applicable to all complaints of sexual harassment against women received at any or all office(s) or premise(s) of NGIL BOARD and/or any other place defined as a ‘workplace’ under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Any other term not defined herein shall have the same meaning as defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules framed thereunder, to the extent applicable to the Company.

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed



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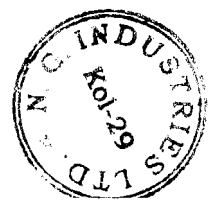
thereunder. Accordingly, while the policy covers all the key aspects of the act, for any further clarification reference shall always be made to the Act.

The work place includes:

- All offices and/or other premises where the company's business is conducted.
- All company-related activities performed at any other place/site away from the company's premises.
- Any social, business or other functions or any place visited by any employee arising out of or during the course of employment including transportation provided by the company for undertaking such journey.

IV. Statement of Principles

- The Policy bestows the responsibility and obligation on the organization as well on every employee in maintaining a non-hostile and pleasant work environment. All employees should respect the dignity and personality of other employees.
- The Policy recognizes the right of complaint of every woman who has suffered sexual harassment at any office or premises of NGIL BOARD and/or any other place defined as a 'workplace' under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It is in the best interest of the complainant to make the complaint promptly available under the complaint redressal mechanism.
- The Policy seeks to encourage employees to express freely, responsibly and in an orderly manner opinions and feelings about any problem or complaint of sexual harassment. Retaliation against any employee who report or provide information about any sexual harassment or unwelcome or unacceptable behaviour that might constitute sexual harassment is strictly prohibited. Any act of reprisal, including internal interface, coercion and restraint by an employee or one acting on his/her behalf violates this policy and will result in appropriate disciplinary action.
- The Policy envisages appropriate disciplinary action against any employee who indulges himself/herself or encourages the activities of sexual harassment or the acts of victimization or retaliation against complainant or any employee involved in the process of redressal of complaints of sexual harassment in whatsoever manner.
- Any employee who engages in any conduct amounting to be sexual harassment, or who encourages such conduct by others, or who indulges in victimisation of or retaliation against the complainant or the complainant's witness or the complainant's confidential counsellor or any other employee who supported or



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supports them shall become liable for corrective action including appropriate disciplinary action, which may even include termination from service.

- The Policy recognizes the right of privacy of every individual and will strive to protect the privacy of the individuals involved/mentioned in the complaint of sexual harassment and ensure that the complainant and the offender/s are treated fairly. Information about individual complaints and depositions are considered confidential and will not be shared or communicated or made known to the public, press and media.
- The Policy ensures that the career interests of both the parties will not be adversely affected merely on account of the complaint made to the Redressal Committee.
- This Policy can't be used to bring false or frivolous or malicious complaint against any employee of the organisation. If a complaint is made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the false or frivolous or malicious complaint.

V. Sexual Harassment

At NGIL BOARD, a woman shall not be subject to sexual harassment which may include any unwelcome sexually determined act or behaviour, physical contact advances, sexually coloured remarks, showing pornography, sexual demands, requests for sexual favours or any other unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions under a promise or preferential treatment in employment or by threat about present or future employment status or a conduct which interferes with work or creates an intimidating or offensive or hostile work environment.

VI. Prohibition & Prevention of Sexual Harassment

All individual to whom this policy is applicable are strictly prohibited from committing an act(s) of sexual harassment.

NGIL BOARD will take such steps as are reasonable and prudent to ensure:

- the **Maintenance** of a healthy working environment that enables employees to work without fear of prejudice, gender bias and in specific the prevention of sexual harassment at work place
- the **Prevention** of any kind of further harassment, coercion or intimidation, by way of retaliation for reporting an incident or participating in an investigation or proceeding concerning sexual harassment.



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- A timely and appropriate **Response** to reports of sexual harassment and sexual abuse and for administering appropriate disciplinary measures when a violation is found to have occurred as provided by this policy.

Effort in support of the above objectives may include circulating and displaying the applicable policy and other relevant information to all employees.

Organising workshops, training, counselling and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs for the members of the internal Committee/s in the manner as may be prescribed.

VII. Constitution of an Internal Complaint Committee

NGIL BOARD shall provide easily accessible redressal system to the aggrieved woman and whenever the organisation is made aware of such a case, the organisation shall take prompt and effective action. Whenever or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint redressal mechanism in the form of “**Internal Committee**” have been created in the Company for time-bound redressal of the complaint made by the aggrieved woman. These Committee have been formed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

The members of the Committee will be decided by NGIL BOARD from time to time. Such members will be nominated for a period not exceeding three years. Any replacement will have to be authorised by the NGIL BOARD.

VIII. Redressal Procedures

Initiation of complaint

- any employee, who has a complaint of Sexual Harassment (‘the aggrieved’) in the course of employment with NGIL, shall report the same to any member of the internal Complaint Committee and/or send a written complaint as early as possible but not later than three months from the occurrence of the event and in case of a series of incidents, within a period of three months from the date of last incident along with relevant details except with the specific permission of ICC under recorded reasons. In the event the ICC feels appropriate, an opportunity may be provided to the aggrieved with a view to understand the exact tonality of the complaint before initiating the disciplinary process. Such complaint shall be received and processed in the strictest of confidence. The person(s) accused of an act of Sexual Harassment shall be referred to as “Respondent”.



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- Where the perpetrator is not an employee in the workplace at which the incident of sexual harassment took place and the act of Sexual Harassment amounts to a specific offence under the IPC or under any other applicable law, NGIL BOARD shall initiate appropriate action in accordance with law by lodging a complaint with the appropriate authority.
- After receipt of complaint the enquiry shall start within a period of seven (7) days.

Processing of Complaint

- Every complaint received by the Internal Complaint Committee shall be shared with all the members of the Internal Complaints Committee except where the Chairperson feels that the complaint is of minor nature and can be disposed whilst maintaining a record of the same. In all other cases the chairperson shall then proceed to call a meeting of the Internal Complaint Committee. The aggrieved and the respondent shall be heard at this meeting and the Internal Complaint Committee shall record the facts based on such hearing.

In case any member of the Internal Complaints Committee or anyone involved in the investigation of the complaint, he/she shall disclose the same to the Internal Complaint Committee at the first available opportunity not beyond five working days from the date of circulation of the complaint by the chairperson and excuse himself/herself from the Internal Complaints Committee and such conflicted members shall not participate any further in the proceeding in that particular complaint. The Internal Complaint Committee shall write to the senior management for a substitution of such a member or a person for the concerned complaint.

Provided further that such member shall continue to be bound by the obligation to retain complete confidentiality with respect to his/her knowledge of the facts of the complaint case.

The person so nominated by the NGIL BOARD shall participate in all meetings of that particular complaint and shall have all such powers and responsibilities as referred to under this Policy.

For the sake of clarity, a “conflict”, as referred to herein shall be deemed to have arisen, if the member of the Internal Complaints Committee happens to be a relative of the aggrieved or the respondent and/or any other person involved for the purpose of providing the case of either side to the complaint.



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- In the event the Internal Complaints Committee, on a prima facie appreciation of the facts recorded, finds that there is no act of sexual harassment committed, it may dismiss the complaint after recording its reasons in writing for doing so.
- In the event the complaint is against:
 - Any member of the Internal Complaints Committee; or
 - Any relative(s) of any of the members of the Internal Complaints Committee

Then such member shall cease to be a member of the Internal Complaints Committee for the purpose of dealing with that particular complaint. NGIL BOARD may nominate a new member for dealing with that particular complaint. The person so nominated shall participate in all meetings.

IX. Conciliation

Notwithstanding anything contained in this Policy, the aggrieved may request in writing to the Internal Complaints Committee for conciliation at any stage of proceedings.

Upon receiving such a request, the Internal Complaints Committee, in its sole discretion, shall take steps to settle the dispute between the respondent and the aggrieved in an amicable manner through conciliation. If the dispute is settled through conciliation, the Internal Complaints Committee shall record the settlement so arrived and forward the same to the parties (aggrieved and respondent) and to NGIL BOARD for taking such action as may be specified in the recommendation.

In case, the dispute is not settled through conciliation, the Internal Complaints Committee shall investigate the complaint in a manner as stated in the policy.

X. Enquiry

- The Internal Complaints Committee shall investigate the complaint and provide its report. The chairperson shall preside over the investigation and shall document all proceedings of the Internal Complaints Committee.
- The minimum quorum of the Internal Complaints Committee shall be at least 3 members for conducting the enquiry including the Chairperson.
- The Internal Complaints Committee shall follow the principles of natural justice in all its proceedings and shall as far as possible maintain confidentiality of the identity of the aggrieved, the respondent/s and any witness.



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- A copy of the complaint as received by the Internal Complaints Committee shall be given to the respondent. The respondent shall be required to submit a response to the complaint and to indicate whether the accused wishes to examine any witnesses or furnish any evidence. The respondent shall keep all matters, including any document provided as confidential.
- Upon receipt of the respondent's response, the Internal Complaints Committee shall conduct a hearing where both the aggrieved and the respondent shall be heard in person. While the ICC, upon a written application citing cogent reasons, by either the aggrieved or the respondent, might agree to allow a co-worker/colleague from the same office premises to represent the applicant, however, under no circumstances a request to bring in a Counsel/Advocate or any outsider for the purpose of representation of either party, shall be entertained. The Internal Complaints Committee shall notify the respondent and aggrieved (as well as witness, if any) of the time and venue of the hearing in advance. The aggrieved and the respondent shall also have the right to lead evidence and to cross-examine witnesses.
- In the event the respondent is not present in person at a hearing of the Internal Complaint Committee, the hearing shall be adjourned to a date not later than three (3) business days from the date of the original hearing. The hearing shall be conducted on such adjourned date irrespective of whether the respondent is present or not. Provided that nothing contained herein shall preclude the Internal Complaints Committee from adjourning such hearing for a longer period subject to recording its reasons for such adjournment.
- All employees shall extend fullest co-operation to the Internal Complaint Committee and any failure to co-operate, or giving wrong or misleading information, or withholding information shall be a violation of this policy and shall be dealt with appropriately by NGIL BOARD.
- In the investigation of the complaint the Internal Complaint Committee shall have such powers including to:
 - Summon and enforcing the attendance of any person and to examine him/her on oath
 - Require the discovery of any production of documents
 - Any other matter which may be prescribed.
 - Alter or amend processes of enquiring in specific cases based on merits

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NGIL BOARD will assist in securing the attendance of such respondents and witnesses and in providing such information as may be required by it having regard to the investigation of the complaint.

- Anytime during the enquiry or the investigation, the Internal Complaint Committee may require the respondent not to attend work and/or not to perform all or any of his/her duties of employment, or assign different duties. The respondent shall remain bound by all the duties of employment unless NGIL BOARD has released the respondent expressly in writing from any such duties.
- During the pendency of an enquiry on the request of aggrieved employee, the Internal Complaints Committee may recommend to NGIL BOARD for:
 - Transfer of the aggrieved woman or the respondent to any other workplace;
 - Grant leave to the aggrieved woman upto a period as deemed appropriate provided such leave shall be over and above what she is otherwise entitled to;
 - Grant such other relief to the aggrieved woman as may be prescribed.

An aggrieved may withdraw a case filed before the Committee any time after filing and during the process of the investigation. In such a case the aggrieved shall state in writing the reasons for withdrawal of the complaint and append his/her signature to the statement.

The enquiry shall be completed within 90 days. In case it cannot be done, extension for increasing the time period should be sought from NGIL BOARD by giving specific reasons.

On the completion of the enquiry, the Internal Complaints Committee shall provide a written report of its findings to NGIL BOARD and parties within 10 days from the completion of the enquiry.

The report shall include a summary of the proceedings and the evidence adduced by the parties (the "Report"). All members of the Internal Complaint Committee shall sign the said report. In case all members of the Internal Complaint Committee are unavailable or do not sign the report, the remaining members shall be authorised to do the same and make a note therein about the members who have been unable to sign the report. When the Committee arrives at a conclusion that allegations against the respondent have not been proved, it shall recommend that no action is required to be taken in the matter.

When the Committee arrives at a conclusion that allegations against the respondent have been proved, it shall recommend to the employer to take such appropriate action/s for

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sexual harassment, as may be appropriate in a matter in accordance with the provisions of the Management Policy of the Company. The disciplinary authority will act on the report of the Internal Complaint Committee within sixty days of its receipt.

False or Malicious Complaints and False Evidence

When the Committee concludes that the allegations are false and malicious, it can recommend to NGIL BOARD to take action against the aggrieved for making such a complaint.

When the Committee concludes that witness has given false evidence or produced forged or misleading documents, it can recommend to NGIL BOARD for taking action against such witness employee.

However, the mere inability to substantiate a complaint or provide adequate proof would not be deemed adequate to attract action against the aggrieved complainant. Malicious intent or falsehood shall need to be established by the enquiry before action is recommended.

XI. Confidentiality and Protection against Victimization

NGIL BOARD recognizes that confidentiality of all matters relating to alleged acts of Sexual Harassment is of paramount importance. The Internal Complaints Committee and other individuals responsible for the implementation of the policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible.

NGIL BOARD will ensure that a complainant and/or a witness and/or an aggrieved shall not be subject to any unfavourable treatment whatsoever as a result of their participation in such proceedings and shall maintain confidentiality at all times.

XII. Submission of Annual Report

The committee shall in each calendar year prepare an annual report and submit the same to NGIL BOARD and the District Officer in the prescribed format.

NGIL BOARD shall include details of cases filed, if any, and their disposal in the Annual Report of the organisation.

