



COMPETENT AUTOMOBILES CO. LTD.

**POLICY ON PREVENTION OF SEXUAL
HARASSMENT OF WOMEN AT WORKPLACE**

1. Objective:

Competent Automobiles Co. Ltd. (hereinafter referred to as “Company”) is committed to provide safe working environment at the Workplace (defined hereafter) which includes safety from the persons coming into contact at the Workplace. The Company provides protection against any sexual harassment of women at Workplace and promote gender sensitive safe working environment. The Company is committed to remove all underlying factors that contribute towards a hostile work environment against women.

This “Policy on Prevention of Sexual Harassment of Women at Workplace” (“Policy”) has been framed in accordance with the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as “Act”) read with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as “the Rules”). In case any provision of this Policy is contrary or inconsistent with the provisions of Act or the Rules or any other applicable law, the provisions of such Act, the Rules or other applicable law shall prevail.

2. Definitions

- a) **“Aggrieved Woman”** means in relation to a Workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.
- b) **“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.
- c) **“Respondent”** means a person against whom the Aggrieved Woman has made a complaint of Sexual Harassment.
- d) **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behaviors (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
 - v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances, among other, if it occurs, or is present in relation to or connected with any act or behavior may amount to Sexual Harassment:

- i.* implied or explicit promise of preferential treatment in employment; or
- ii.* implied or explicit threat of detrimental treatment in employment; or
- iii.* implied or explicit threat about present or future employment status; or
- iv.* interference with work or creating an intimidating or offensive or hostile

- work environment; or
- v. humiliating treatment likely to affect health or safety.

- e) **“Workplace”** means all showrooms, workshops and offices or other premises in which the Company’s business is conducted and any place visited by Employee arising out of or during the course of employment and includes transportation provided by the Company for undertaking such journey.

The words and expressions used but not defined herein shall have the meanings ascribed to such terms in the Act or Rules, as the case may be.

3. Role and Responsibilities

It is the responsibility of all employees to respect the rights of others employees and not to encourage any kind of harassment. Any employee who believes that action(s) or words of a supervisor, manager or other Employee constitute Sexual Harassment, such employee has a responsibility to report or complain about such action/incident as soon as possible to the concerned Internal Complaints Committee.

4. Prohibition and Prevention of Sexual Harassment

No woman shall be subjected to Sexual Harassment at any Workplace and the Sexual Harassment at Workplace is prohibited.

5. Redressal mechanism of Sexual Harassment

- i. *The Company* has constituted the Internal Complaints Committees in compliance with the provisions of the Act.
- ii. An aggrieved woman can make, in writing, a complaint of Sexual Harassment at Workplace to the concerned Internal Complaints Committee within a period of 3 months from the date of incident/ last incident. The concerned Internal Complaints Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period;

Provided that where such a complaint cannot be made in writing, the presiding officer or any member of the concerned Internal Complaints Committee shall render all reasonable assistance to the Aggrieved Woman for making the complaint in writing.

In case the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed in Rules may make a complaint.

- iii. The Internal Complaints Committee may, before initiating an inquiry and at the request of the aggrieved woman, take steps to settle the matter through conciliation provided that no monetary settlement shall be made as a basis of conciliation. The Internal Complaints Committee shall record the settlement in writing and forward the same to

the Chairman & Managing Director of the Company to take action as specified in the recommendation. The Internal Complaints Committee shall provide the copies of the settlement to aggrieved woman and respondent. In case settlement is arrived, no further inquiry shall be conducted by Internal Complaints Committee.

- iv. Subject to aforesaid provisions, the Internal Complaints Committee shall proceed to make an inquiry into the complaint of Sexual Harassment in accordance with the Act and Rules. The Employer shall provide all necessary assistance for the purpose of ensuring effective and speedy inquiry of the complaint.
- v. In case the complaint is found to be false or malicious, the aggrieved person or any other person making complaint shall, if deemed fit, be liable for appropriate disciplinary action by the Company.
- vi. The Company shall ensure that respondent or witnesses are not victimized or discriminated while dealing with complaints of Sexual Harassment.
- vii. During pendency of the inquiry, the Internal Complaints Committee may recommend to the Company to:
 - a. Transfer the aggrieved woman or the respondent to any other workplace;
 - b. Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled;
 - c. Prevent the respondent from assessing aggrieved woman's work performance; and/or
 - d. Grant such other relief as may be appropriate.

Once the recommendations of interim relief are implemented, the Company will inform the Internal Complaints Committee regarding the same.

- viii. The identity of the aggrieved woman, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the Internal Complaints Committee and action taken by the Company shall be considered as confidential materials and shall not be published or made known to public or media. Further, to protect the interests of the aggrieved woman, the respondent and others who may report incidents of Sexual Harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the Act.
- ix. In case the complaint or incident amounts to a specific offence under the applicable law, the Company shall initiate appropriate action in accordance with such law by making a complaint with the appropriate authority.

6. Penal Provisions

In case the allegation against the Respondent has been proved, the concerned Internal Complaints Committee can take following actions for Sexual Harassment as misconduct:

- (a) to take action for misconduct in accordance with the policies of the Company;
- (b) to direct the respondent to pay or deduct from the salary of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine, in accordance with the provisions of the Act;
- (c) to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from the services of the Company or undergoing a counselling session; and/ or
- (d) to take any other action as it may deem fit in such circumstances.

7. Amendment

This Policy can be amended, modified, or revised from time to time by the Company.
