

# Policy on Prevention of Sexual Harassment at Workplace

## 1.00 Introduction

- 1.01** CEAT Specialty Tyres Limited (“the Company”) is committed to creating a safe and healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. Towards attaining this objective, it is essential that each employee deals with their colleagues and third parties with full fairness and respect.
- 1.02** The Company also believes that all its employees have the right to be treated with dignity, respect and without any bias, prejudice or discrimination, either on the basis of gender, caste or creed. Sexual harassment at workplace in any form of unwanted or unwelcome behaviour, advances and/or harassment of a sexual nature that affects the dignity of a person, including a visitor at any workplace of the Company is a grave offence and is, therefore, punishable.
- 1.03** As a responsible corporate citizen, the Company is fully committed to the above cause and will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of sexual harassment.
- 1.04** In pursuance to ensure attainment of the aforesaid objectives, this Policy is adopted by the Company in accordance with the provisions of the SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 including the rules framed thereunder (“the Act”).

## 2.00 Objective of the Policy

This Policy is meant to make the employees aware about the conduct that constitutes sexual harassment, and the ways and means, which are to be adopted to prevent occurrence of any harassment and also to establish a fair mechanism for the redressal of complaints pertaining to sexual harassment, as specifically defined hereunder.

## 3.00 Applicability

- 3.01** This Policy is applicable to all workplaces of the Company within the territory of India, including offices, branches, factories, divisions, Strategic Business Units (SBUs). This Policy applies to all categories of employees including those working 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, intern, trainee, apprentice or called by any other such name.

**3.02** This policy is also applicable to any visitor at workplace.

**3.03** The Company will also take prompt and appropriate action against sexual harassment, where sexual harassment occurs to any of its employees or visitors as a result of an act by a third party or outsider while on official duty, the Company will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action. All matters regarding alleged sexual harassment between the persons who are not covered under the applicability of this Policy are liable to be dealt according to the Indian Penal Code, Criminal Procedure Code or law of land.

**3.04** This Policy will not apply to any foreign office, which shall be governed by the law of the respective Country as applicable.

#### **4.00 Scope**

The following are within the scope of this Policy –

- 4.01** An alleged act of sexual harassment, whether the incident has occurred during or beyond office hours in the course of employment;
- 4.02** An alleged act of sexual harassment, whether the alleged act has taken place within or outside the Company premises but in the course of employment;
- 4.03** Any place visited by employee in connection with employment or on any assignment by the Company, including the transportation, if any, provided by the Company or client;
- 4.04** An alleged act of sexual harassment, if incident has occurred during any social, business or other functions organised by the Company within or outside the Company premises.

#### **5.00 Definitions**

**5.01** The “Aggrieved Woman” shall mean any aggrieved woman, who alleges that she has been subjected to any form of sexual harassment, as specifically defined herein below.

**5.02** The “Respondent” shall mean a person against whom a complaint of sexual harassment is made under the Act.

**5.03** "Sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:--

- physical contact and advances;
- a demand or request for sexual favours;
- making sexually coloured remarks;
- showing any kind of pornography;



- any other unwelcome physical, verbal conduct of sexual nature; or jokes of a sexual nature, offensive flirtation or lewd remarks, comments on a person's sexual orientation, expressions of sexual interest addressed to the person;
- Non-verbal conduct of a sexual nature may include the display of sexually suggestive pictures, objects or written materials, or gestures.

**5.04** The following circumstances, among other circumstances if it occurs or is present in relation to or connected with any act or behaviour, may also amount to sexual harassment: --

- implied or explicit promise of preferential treatment in her employment; or
- implied or explicit threat of detrimental treatment in her employment; or
- implied or explicit threat about her present or future employment status; or
- interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment likely to affect her health or safety.

## **6.00 Internal Complaints Committee**

**6.01** The Company shall constitute a forum called the Internal Complaints Committee (ICC) as per the Act to consider and redress complaints of sexual harassment. ICC constitution, reconstitution, term and working shall be governed by provision of the Act and Rules made thereunder or under such other rules and regulations as may be framed by the Government or judicial pronouncements of the competent Court orders or any other legislation enacted/ awarded from time to time. ICC, may, at its discretion, frame its own Rules for conduct of the proceedings within the above statutory framework.

**6.02** ICCs will be constituted, for the Corporate Office. In addition, the Company would decide based on the locations and number of total workforce and number of women employees to constitute any more ICCs, which may also combine multiple locations and SBUs.

**6.03** The proceedings of the inquiry made by the ICC shall have the highest level of confidentiality. The ICC members shall sign an undertaking of maintaining confidentiality in respect of all the business transacted by the ICC. Any attempt by any of the members of the ICC to discuss or disclose the information to anyone, except those directly involved, will be liable for strictest action as prescribed under the Act or under the Service Rules as the case may be.

**6.04** The ICC shall consist of the following members to be nominated by the Company, namely

- a Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees;
- not less than two Members from amongst employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;



- one member from amongst non-governmental organisations (NGO) or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment;

Provided that at least one-half of the total Members so nominated shall be women.

**6.05** The Presiding Officer and every Member of the ICC shall hold office for such period, not exceeding three years, from the date of their nomination or as may be specified by the Company.

**6.06 Minimum number of persons required for proceedings**

For conducting the inquiry, a minimum of three members of the ICC including the Presiding Officer shall be present. The presence of Presiding Officer is mandatory.

**6.07 Fees payable to external members**

The ICC members from NGO or other qualified associations shall be paid such fees which are not less than the amount prescribed under the Act.

**6.08 Powers of the Internal Complaints Committee**

For the purpose of making an inquiry, the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:-

- Summoning and enforcing the attendance of any person and examining him on oath
- Requiring the discovery and production of documents; and
- Any other matter which may be prescribed.

**7.00 Complaint Redressal procedure**

**7.01** Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace with supporting documents to the ICC, in 6 (six) copies, within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The ICC for the reasons to be recorded in writing, may extend the time limit not exceeding three months, if it is satisfied that the circumstances were such, which prevented the woman from filing a complaint within the said period.

**7.02** When such complaint cannot be made in writing, the Presiding Officer or any Member of the ICC shall render all reasonable assistance to the woman for making the complaint in writing.

**7.03 (a)** If the aggrieved woman is unable to make a complaint on account of her:

- (i) physical incapacity, the complaint may be filed with ICC by her relative, or friend, or co-worker or any officer of the National Commission for Women or State Women's Commission, or any person who has a knowledge of the incident, with the written consent of the aggrieved women;



- (ii) mental incapacity, the complaint may be filed with ICC by her relative or friends, or a special educator, or a qualified psychiatrist or psychologist, or the guardian or authority under whose care she is receiving treatment or care, or any person who has knowledge of the incident jointly with her relative or friend or special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- (b) Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident with her written consent;
- (c) Where the aggrieved woman is dead, a complaint may be filed by a person who has knowledge of the incident, with the written consent of her legal heirs.

**7.04** Neither the Aggrieved Woman / Complainant nor the Respondent is allowed to bring any legal practitioner to represent them at any stage of proceedings conducted by ICC.

**7.05** The ICC will maintain entire record of the complaint and other documents received by it in the course of investigation and keep the contents confidential, except to use the same for investigation purposes.

**7.06** The Aggrieved Woman may approach ICC if she is questioned or is being retaliated for making the complaint either by the Respondent or any other employee of the Company.

**7.07** The ICC will meet the Aggrieved Woman / Complainant in person within or outside the premises as decided by the ICC within two weeks of the receipt of the complaint. At the first meeting, the ICC members shall hear the Aggrieved Woman / Complainant and record her allegations. The Aggrieved Woman / Complainant shall also submit to ICC any corroborative material with a documentary proof, etc., if any, to substantiate her complaint.

**7.08** On receipt of complaint, ICC shall send a copy of the complaint as received from the aggrieved woman to the Respondent within seven working days.

**7.09** The Respondent shall file with the ICC, his reply to the complaint along with list of documents and names and address of witnesses within a period not exceeding ten working days from the date of receipt of the complaint copy.

## **8.00 Inquiry Process**

**8.01** Based on the assessment of documents, complaint(s) submitted and reply received, and hearing the Complainant / Aggrieved Woman, if the ICC comes to a conclusion that this complaint does not fall under the Act, the ICC would take a decision to decide the complaint accordingly, within 3 weeks or such extended time as ICC may deem fit, after recording the reasons thereof in writing, and the said decision would be communicated to the Aggrieved Woman / Complainant, Respondent and the Company within 10 working days.



**8.02** If the ICC finds the Complaint merits further proceedings, it will proceed further as per Clauses 9 and 10 of the Policy.

**8.03** The Aggrieved Woman will be informed within three months of making the complaint about the status of the complaint and as to what action is being taken.

#### **9.00 Conciliation**

**9.01** After preliminary assessment but before initiating inquiry, and at the request of the aggrieved woman, the ICC would take steps to settle the matter through conciliation. No monetary settlement can be made as a basis of conciliation.

**9.02** Where a settlement has been arrived as a result of such conciliation, the ICC shall record the settlement so arrived and forward the same to the Company.

**9.03** The ICC shall provide the copies of the settlement as recorded to the aggrieved woman and the Respondent.

**9.04** Where a settlement is arrived on the basis of conciliation no further inquiry shall be conducted by the ICC. The complaint will be deemed closed.

**9.05** If the aggrieved woman in writing informs the ICC that any term or condition of the settlement so arrived have not been complied with by the Respondent, the ICC shall proceed to make an inquiry into the complaint or if it so decides, forward the complaint to the Police.

#### **10.00 Initiation of the Inquiry**

**10.01** ICC shall within four weeks of receipt of the complaint, or such extended time as it may deem fit by recording the reasons in writing, proceed with the Inquiry and communicate the same to the Aggrieved woman /Complainant and Respondent. The ICC after studying the complaint received from Aggrieved woman / Complainant and reply received from the Respondent shall frame the statement of allegations and hand it over to the Respondent.

**10.02** During the pendency of an inquiry, on a written request made by the aggrieved woman, the ICC after scrutiny may recommend to the Company to:

- (a) Transfer the aggrieved woman or the Respondent to any other workplace or,
- (b) Grant leave to the aggrieved woman up to a period of three months or,
- (c) Restrain respondent from reporting on the work performance of the aggrieved women or writing her confidential report, and assign the same to other officer.

**10.03** The leave granted to the aggrieved woman under clause 10.2 (b) shall be in addition to the leave she would be otherwise entitled to.



- 10.04** The Respondent may be called for a deposition before the ICC and an opportunity will be given to him / her to give an explanation, where after, an "Inquiry" shall be conducted and concluded. The Aggrieved woman / Complainant shall be provided with a copy of the written explanation submitted by the Respondent and the ICC shall maintain detailed chronology and record of deposition of witnesses.
- 10.05** If the Aggrieved woman / Complainant or the Respondent desires any witness/es to be examined, they shall communicate in writing to the ICC the names of witness/es whom they propose to call in the inquiry.
- 10.06** If the Aggrieved Woman / Complainant desires to tender any documents by way of evidence before the ICC, she shall supply original copies of such documents. Similarly, if the Respondent desires to tender any documents in evidence before the Committee, he/she shall supply original copies of such documents. All such document shall have the signature on the respective documents to certify these to be original documents.
- 10.07** ICC shall call upon all witnesses mentioned by the Aggrieved Woman / Complainant and the Respondent.
- 10.08** ICC shall provide every reasonable opportunity to the Aggrieved Woman / Complainant and the Respondent, for presenting their respective cases. The Aggrieved Woman / Complainant, will at her discretion, be free to lodge a police complaint, if she so desires.
- 10.09** ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint if the Aggrieved Woman / Complainant or Respondent fails, without sufficient cause, to present herself or himself for the three consecutive hearings convened by the Presiding Officer provided that such termination or ex-parte order shall not be passed without giving 15 days written notice in advance to the concerned party.
- 10.10** ICC shall complete the "Inquiry" within reasonable period but not beyond three months of commencement of the inquiry and shall provide the Inquiry Report of its findings and recommendations, to the Chief Executive Officer / Managing Director of the Company within a period of 10 days from the date of completion of the inquiry. The report of the ICC shall be treated as an inquiry report and shall be made available to the Aggrieved Woman / Complainant and the Respondent.
- 10.11** If ICC, after the conducting the inquiry under the Policy, arrives at the conclusion that:
- a. The allegation of sexual harassment has been proved, it shall recommend to the Company to take action against the Respondent under its Service Rules / Standing Orders, including payment of the compensation to the aggrieved woman, as determined considering the provisions of Clause 11, if any.
  - b. The alleged sexual harassment has not been proved, it shall recommend to the Company and the District Officer that no action is required to be taken on the matter.
- 10.11** If the Company is unable to deduct the compensation from the salary and wages of the Respondent, it will inform the facts to ICC and ICC thereafter shall order the Respondent to pay the compensation to aggrieved woman. If the respondent fails to pay the



compensation, the ICC shall forward its order for recovery to the District Officer for recovery of the compensation as an arrear of land revenue.

#### **11.00 Determination of compensation**

**11.01** For determining the compensation, the ICC shall have regard to:

- (a) The mental trauma, pain, suffering and emotion distress caused to the aggrieved woman;
- (b) The loss in the career opportunity due to the incident of sexual harassment;
- (c) Medical expenses incurred by the victim for physical or psychiatric treatment;
- (d) The income and financial status of the Respondent;
- (e) Feasibility of such payment in lump sum or in instalments.

**11.02** The Company after scrutiny will direct appropriate action in accordance with the recommendation proposed by the ICC.

#### **12.00 Actions as per ICC recommendation**

**12.01** In case, the allegations against the Respondent are proved, ICC may recommend to the Company to initiate disciplinary action, which may include transfer or any of the other appropriate disciplinary action and deductions, including from the salary / wages of the Respondent, appropriate sums to be paid to the aggrieved woman or to her legal heirs. If the Respondent fails to pay the sum as determined, the ICC shall forward the order to recovery of the sum to the concerned District Officer to be collected as an arrear of land revenue.

**12.02** ICC may also recommend the Company to take any action against the Respondent including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments or termination of the respondent from the services or undergoing a counselling session or carrying out community service.

**12.02** The Company shall act upon such recommendation within sixty (60) days of its receipt from the ICC.

**12.03** Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the ICC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action depending on facts of each case, including initiating action under the Indian Penal Code or any other law for the time being in force against the Respondent.

**12.04** In case the ICC finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Company for making a Police Complaint.





### **13.00 Appeals**

If the Aggrieved Woman / Complainant, Respondent or any other person is aggrieved by the recommendation of the ICC, the appeal can be preferred to the court or tribunal under the service rules framed or adopted by the Company or to the appellate authority notified under the Industrial Employment (Standing Orders) Act, 1946 within 90 days of the recommendation of the ICC.

### **14.00 Prohibition of Publication of Contents of Complaint**

The contents of the complaint, the identity, names and addresses of the aggrieved woman, Respondent and witness, any information relating to the conciliation or inquiry proceedings, recommendation of the ICC and any action taken by the Company with regard to redressal of the complaint of sexual harassment shall not be published, communicated or made known to the public, press or media in any manner whatsoever.

However, the information regarding justice secured to any victim of sexual harassment may be disseminated without disclosing the name, address, identity or any other particulars which could lead to establish the identity of the aggrieved woman and witnesses.

Strict action shall be taken against the employee concerned for contravention of this Clause under Service Rules / Standing orders framed by the Company.

### **15.0 Protection against retaliation**

Regardless of the outcome of the complaint made in good faith, the person lodging the complaint and any person providing information or any witness, will be protected from any form of adverse action or retaliation. While dealing with complaints of sexual harassment, the ICC shall ensure that the Aggrieved Woman / Complainant or the witness are not victimized or discriminated against by the Respondent. Any unwarranted pressures, retaliatory or any other type of unethical behaviour or conduct from the Respondent against the Aggrieved Woman, while the investigation is in progress should be reported by the Aggrieved Woman / Complainant to the ICC as soon as possible. Disciplinary action will be taken/ recommended by the ICC against any such complaints, which are found genuine.

### **16.00 Dissemination of the Policy**

This Policy shall be communicated to all employees and to all new recruits and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.



## **17.00 Punishment for False or Malicious complaint and false evidence**

When the ICC is of the view that a malicious or false complaint has been made by the Aggrieved Woman / Complainant or any false or forged or misleading evidence has been produced before it by the Aggrieved Woman/ Complainant or any person, including witnesses, the ICC may recommend to the Company to take necessary action against the aggrieved woman or the Complainant in accordance with the Company's Service Rules / Standing Orders. However, an inquiry shall be made by ICC in order to establish malicious intent before recommendation is made to the Company for initiation of any action. Also, mere inability to substantiate a complaint will not attract such action under this Clause.

## **18.00 Roles and Responsibilities**

### **18.01 Of the Employees**

Employees are encouraged to familiarize themselves with the Policy and should:

- a) Create an environment of conduciveness for co-workers to work together without fear of harassment.
- b) Abstain from committing any acts which amount to sexual harassment at the workplace.
- c) Report incidents of sexual harassment without fear.
- d) Get clarifications from HR whenever in doubt.

### **18.2 Of the HR Department**

HR Department shall ensure the following:

- a) Ensure there is no retaliation or retribution happening at the workplace where the supposed action is to have taken place.
- b) To ensure that this Policy is fully understood by each employee.
- c) To organise workshops and awareness programmes at regular intervals for sensitising the employees about the provisions of the Policy.
- d) To provide such facilities and to make such information that may be required by the ICC for dealing with the complaints under this Policy.
- e) To assist ICC in securing the attendance of the Respondent and the witnesses
- f) To clarify to employees on any queries related to this Policy, wherever required.

## **19.00 Miscellaneous**

**19.01** The provisions of the Policy are in addition to and not in derogation of the provisions of any other law for the time being in force. Hence, the aggrieved woman can initiate the proceedings under the other applicable laws for time being in force along with filing complaint with ICC. For this purpose, the aggrieved woman may contact the HR



Department of the Company for necessary assistance if she decides to file a complaint under the Indian Penal Code or any other law for the time being in force.

**19.02** If the aggrieved woman so desires, the aggrieved woman may contact the HR Department of the Company to initiate action under the Indian Penal Code or any other law for the time being in force against any perpetrator, not being an employee of the Company.

**19.03** ICC shall prepare an Annual Report, in such Form as may be prescribed under the Act, on all complaints made under the Policy at the end of every year and submit the same to the Company and the District Officer.

**19.04** The Company shall also prepare an Annual Report on the compliance with this Policy, including compliance of the recommendation of the ICC, and submit the same to the concerned District Officer.

**19.05** The Company shall display at such conspicuous places at all the workplaces the penal consequences of sexual harassment and the order constituting the ICC under the Policy.

**19.06** The Company shall carry out orientation programs for the members of the ICC.

#### **20.00 Amendment**

The Company shall amend or modify this Policy in whole or in part, at any time as may be required in line with the provisions of the Act or Rules made thereunder.

**Authorized By & Policy Effective Date :** 01/04/2017



**Kunal Mundra**  
**Managing Director**



Sexual Harrassment Committee at HO			
Sr.No.	Names	Designation	Contact
1	Mrs. Priyanka Sharma (Chairperson )	Sr. Manager-Sales & Marketing	Mobile -9769212094 Email ID – <a href="mailto:Priyanka.Sharma@ceat.in">Priyanka.Sharma@ceat.in</a>
2	Mr.Sandeep Sarkhot (Member )	Chief Financial Officer- Legal & Secretarial	Mobile -9820267803 Email ID- <a href="mailto:Sandeep.Sarkhot@ceat.in">Sandeep.Sarkhot@ceat.in</a>
3	Mr. Sunil Malik (Member )	Manager – Legal & Secretarial	Mobile-9920285837 Email ID- <a href="mailto:Sunil.Malik@ceat.in">Sunil.Malik@ceat.in</a>
4	Miss. Dweety Sanghavi (Member)	Manager-Corporate HR	Mobile- 9619665989 Email ID – <a href="mailto:Dweety.Sanghavi@ceat.in">Dweety.Sanghavi@ceat.in</a>
5	Dr.Manjula M.Gada (Member)	Member of NGO Occupational Therapist Seth G.S.Medical College & K.E.M.Hospital, Mumbai University	Mobile- 9869613881 Email ID – <a href="mailto:drmanilagada@yahoo.com">drmanilagada@yahoo.com</a>

Sexual Harrassment Committee at Ambernath Plant			
Sr.No.	Names	Designation	Contact
1	Mrs. Garima Pathak (Chairperson )	Sr. Manager-HR	Mobile -9769212098 Email ID – <a href="mailto:Garima.Pathak@ceat.in">Garima.Pathak@ceat.in</a>
2	Mrs. Chitra Shetty (Member)	Asst. Manger- Plant HR	Mobile -8097004761 Email ID - <a href="mailto:Chitra.Shetty@ceat.in">Chitra.Shetty@ceat.in</a>
3	Mr. Hemant Kardekar (Member )	GM– Production	Mobile – 7045539230 E Mail ID- <a href="mailto:Hemant.Kardekar@ceat.in">Hemant.Kardekar@ceat.in</a>
4	Mr. Sunil Malik (Member)	Manager-Legal & Secretarial	Mobile-9920285837 Email ID- <a href="mailto:Sunil.Malik@ceat.in">Sunil.Malik@ceat.in</a>
5	Dr.Manjula M.Gada (Member)	Member of NGO Occupational Therapist Seth G.S.Medical College & K.E.M.Hospital, Mumbai University	Mobile- 9869613881 Email ID – <a href="mailto:drmanilagada@yahoo.com">drmanilagada@yahoo.com</a>
6	Mr. Diwakar Sharma (Member)	Sr. Manager-EHS	Mobile – 8291493693 Email ID- <a href="mailto:Diwakar.Sharma@ceat.in">Diwakar.Sharma@ceat.in</a>

