

VISION VANIJYA PRIVATE LIMITED

Reg Address: 8A, ALIPORE ROAD, KOLKATA - 700027 West Bengal

Corp Address: C-5, Phase-1, Ashok Vihar, New Delhi-110052

Phone: 01143360000, E-Mail: info@sandeepenterprises.com

CIN: U51109WB2005PTC104515

Policy on Prevention of Sexual Harassment (POSH) of women at workplace

1. INTRODUCTION

This policy is based on "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013," prioritizing the Act's provisions for clarifications. It emphasizes respect, dignity, and personal responsibility among employees, ensuring equal development opportunities while safeguarding privacy and prohibiting harassment or discrimination. The policy aims to protect women from sexual harassment in the workplace and details procedures for preventing and addressing related complaints.

2. PURPOSE

The purpose of the Prevention (Prohibition and Redressal) of Sexual Harassment at Workplace (POSH) policy at Vision Vanijya Pvt Ltd (the "Company") is to ensure that the work environment is professional, open, trusting and devoid of gender-based discrimination and harassment. Sexual harassment of any form at the workplace is strictly prohibited at the Company, regardless of the gender of the person involved.

The Company has a zero-tolerance approach towards sexual harassment and shall initiate all appropriate steps to prevent any kind of sexual harassment at the workplace. This policy is in line with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Vishaka guidelines, 1997 as laid down by the Supreme Court, India.

The Company will treat allegations of sexual harassment, of all three (3) genders seriously and will make every effort to investigate any claim of sexual harassment in a fair and equitable manner. Confidentiality and sensitivity will be maintained in handling allegations of sexual harassment.

The objectives of the POSH policy at the Company are –

- To prevent sexual harassment during the course of its business
- To redress grievances of sexual harassment that occur during the course of its business
- To ensure compliance with all legal provisions with respect to sexual harassment at the workplace

For VISION VANIJYA LIMITED

Director/Authorised Signatory

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3. SCOPE

The POSH policy is applicable to all permanent employees of the Company in India, customers, vendors, partners, suppliers, direct and third-party contractors and any other non-employee over whom it has direct control.

4. DEFINITIONS

1. **Sexual harassment** may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a Vision Vanijya Private Limited employee and someone that employee who deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):

- a) Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - i. Physical contact and advances;
 - ii. Demand or request for sexual favors;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
- b) The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment :
 - Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - Interference with the person's work or creating an intimidating or offensive

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- or hostile work environment; or
- Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

2. **Aggrieved woman:** 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 and includes contractual, temporary, visitors.
3. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman
4. **Employee:** A person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
5. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Vision Vanijya Private Limited, including transportation provided for undertaking such a journey.
6. **Employer:** A person responsible for management, supervision and control of the workplace

5. ROLES & RESPONSIBILITIES

1. **Responsibilities of Individual:** It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:
 - a. Refusing to participate in any activity which constitutes harassment
 - b. Supporting the person to reject unwelcome behavior
 - c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the

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person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

2. **Responsibilities of Managers:** All managers at Vision Vanijya Private Limited must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

6. INTERNAL COMPLAINTS COMMITTEE (HENCEFORTH KNOWN AS 'COMMITTEE')

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "**Internal Complaints Committee**" is constituted. The detail of the committee is notified to all covered persons at the workplace.

The committee shall comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one half of the total members is women

The **committee** is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Current nominated members of the committees are given in **Annexure A**.

7. LODGING A COMPLAINT

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

The complaint must be lodged within **3 months** from the date of incident/ last incident. The 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.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any

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Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, **with her written consent**.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

Wherever possible company ensures that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

8. RESOLUTION PROCEDURE THROUGH-

I. CONCILIATION

The resolution procedure through conciliation allows a committee to facilitate a resolution between a complainant and respondent upon request of the aggrieved woman, before starting an inquiry. Conciliation does not imply the respondent admits to the complaint; it aims to resolve issues or clarify misunderstandings. If a settlement is reached, the committee will document it and report to the employer, completing the process within two weeks. Copies of the settlement will be provided to both parties, and no further inquiry will occur once the agreed actions are implemented.

II. FORMAL INQUIRY

➤ CONDUCTING INQUIRY

The committee initiates inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

The Committee proceeds to make an inquiry into the complaint within a period of **1 week** of its receipt of the original complaint/closure of conciliation/repeat complaint.

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➤ **MANNER OF INQUIRY INTO COMPLAINT:**

- Complainant should submit the complaint along with supporting documents and the names of the witnesses
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present.

➤ **INQUIRY PROCEDURE**

The inquiry process is well-documented and involves impartial interviews of the respondent, where allegations and the complainant's identity are disclosed. The respondent can present evidence, and detailed notes are available to both parties upon request. Witnesses provided by the respondent are also interviewed, and the Committee facilitates cross-examinations if requested. The entire process, including the Inquiry Report, is completed within 90 days to ensure fairness.

9. INTERIM RELIEF

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to -

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

10. TERMINATION OF INQUIRY

Committee at Vision Vanijya Private Limited may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex-parte order.

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11. CONSIDERATIONS WHILE PREPARING INQUIRY REPORT

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity of being heard
- A copy of the proceedings were made available to both parties enabling them to make representation against the findings

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee

12. ACTION TO BE TAKEN AFTER INQUIRY

Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within **10 days** of completion of the inquiry.

The findings and recommendations are reached from the facts established and is recorded accurately.

If the situation so requires, or upon request of the complainant, respondent or witness, Management at Vision Vanijya Private Limited may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

13. COMPLAINT UNSUBSTANTIATED OR SUBSTANTIATED

If a committee finds allegations unsubstantiated, it will recommend no further action and inform both parties that the investigation is resolved without any disadvantage to them. Conversely, if the allegations are substantiated, the committee will recommend appropriate actions to the employer, which may include counseling, reprimands, apologies, written warnings, or withholding promotions and salary, in line with relevant policies.

The employer at Vision Vanijya Private Limited acts upon the recommendations within 60 days and confirm to the committee

14. MALICIOUS ALLEGATIONS

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If a committee determines that a complaint against a respondent is malicious, or that the complainant knowingly made a false complaint or submitted forged documents, it may recommend that the employer take action against the complainant. The recommended action should be similar to what would be proposed for the respondent in substantiated cases. However, the committee must ensure that malicious intent is clearly established through a separate inquiry, as simply failing to substantiate a complaint does not imply malicious intent.

15. CONFIDENTIALITY

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

16. APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within **90 days** of the recommendations being communicated.

Annexure A

COMPOSITION OF INTERNAL COMPLAINTS COMMITTEE AT VISION VANIJYA PRIVATE LIMITED				
S.NO	NAME	DESIGNATION	MOBILE NO	EMAIL ID
1.	Deepshikha Jain	Presiding Officer	9654956880	djshikhadelhi@gmail.com
2.	Dinsha Jain	Member	9560110457	dinshajain97@gmail.com
3.	Ramesh Kumar	Member	9650067687	hr@sandeepenterprises.com
4.	Pooja	Member	9650401146	sesonipat20@gmail.com
5.	Adv Sachin Dhamija	External Member	9971755433	sachindhamija2010@gmail.com

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