



DH LIMITED

**POLICY ON PREVENTION OF SEXUAL HARASSMENT
AT WORKPLACE
("POSH POLICY")**



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PREFACE

Sexual harassment at the workplace results in violation of the fundamental rights of a woman

- to equality under Articles 14 and 15 of the Constitution of India
- to life and to live with dignity under Article 21 of the Constitution of India
- to practice any profession or to carry on any occupation, trade or business, which includes a right to a safe environment free from sexual harassment.

Protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified in 1993 by the Government of India.

DH LIMITED (“the Company” or “DH”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and in a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, age, nationality, ethnic origin or disability.

The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the workplace or other than workplace if involving an employee or employees is a grave offence and is therefore, punishable.

This Policy extends to all employees of DH Limited and any other company which may be incorporated in future with applicability of DH HR policies - hereinafter referred to as 'Company' / 'Organization' / 'DH' in this policy. It is deemed to be incorporated in the service conditions of all employees of the Company in India. Local country laws will take precedence over this policy, in other geographies, if applicable.

This version of the policy comes into force with immediate effect and supersedes all prior policies and communication on this matter, as may be applicable.

1. BACKGROUND

The Company is committed to provide equal opportunity and a harassment free workplace notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. Thus in order to create such a safe and conducive work environment, this Policy has been framed, in line with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the '**Act**') and existing rules framed thereunder namely the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the '**Rules**') as applicable in India.

While the law is applicable to women employees only, the Company, as part of its commitment to fostering a healthy work environment, has extended the benefit of the law to all employees, regardless of gender. Accordingly, this Policy will apply to all sexual harassment complaints made by any individual against an employee in the workplace context.



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At DH, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to-

- Treat each other with dignity and respect
- Follow the letter and spirit of law
- Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company

1.1. Purpose and objectives

Purpose of this policy is to provide protection against sexual harassment at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

This Policy aims to achieve the following objectives:

- a) To prohibit workplace sexual harassment in all forms
- b) To provide procedures for lodging complaints and investigating sexual harassment claims
- c) To carry out appropriate disciplinary measures in the case of violations

1.2. Scope and Applicability

This policy extends to all employees including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, vendors, consultant, contractual resources, secondees and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond office hours.

This policy does not prevent any aggrieved person from seeking legal recourse according to the law of the land.

1.3. Important definitions

For the purpose of this Policy, the following terms and expressions shall have the meanings assigned to them hereunder:

Definition	Meaning
Aggrieved Person or Individual	means an individual, of any gender, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent, as defined within the Policy.



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Complainant	means any Aggrieved Person including his/her representative who makes a complaint alleging sexual harassment under this policy
Employee	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;
Employer	A person responsible for management, supervision, and control of the workplace
Internal Complaints Committee	means the Internal Complaints Committee of DH (hereinafter referred to as the “ICC” or “POSH Committee”)
Member	means member(s) of the ICC
Presiding Officer	the Presiding Officer of the ICC and shall be a woman employed at a senior level at the workplace amongst the employees
Respondent	a person against whom the aggrieved person has made a complaint of alleging sexual harassment under this Policy
Sexual Harassment	Means an unwelcome inappropriate behaviour (whether directly or by implication) which includes: (a) Physical contact and advances including touching, deliberately brushing against another person, interference with an individual’s normal work movement or assault. (b) Demand or requests for sexual favours, offensive or unwelcome flirtations, unwanted sexual advances or



	<p>propositions, threats or suggestive or insulting sounds.</p> <p>(c) Making sexually coloured remarks including sexual tones including repeated sexual innuendoes, sexual epithets, derogatory slurs, sexually explicit jokes, letters, phone calls, text, e-mails, WhatsApp or through any other electronic communication.</p> <p>(d) Showing pornography such as derogatory or sexually explicit posters, cartoons, photographs, magazines, drawings, or other printed items; suggestive objects, pictures; emails, screen savers; or other electronic communications; graphic commentaries and leering or obscene gestures.</p> <p>(e) Any other unwelcome visual, verbal, or physical conduct of a sexual nature</p> <p>Sexual harassment can involve a series of incidents, or it can be a one-off occurrence.</p>
Sexual Harassment at the Workplace	<p>Means the following circumstances, if they occur or are present in relation to or connected with any act or behaviour of Sexual Harassment may amount to Sexual Harassment at the Workplace:</p> <p>(a) Implied /explicit promise of preferential treatment in employment</p> <p>(b) Implied/ explicit threat of detrimental treatment in employment</p> <p>(c) Implied/explicit threat about present or future employment status</p> <p>(d) Interference with work or creating an intimidating/hostile environment</p> <p>(e) Humiliating treatment, likely to affect health or safety.</p>
Visitor or Third Party	<p>Means any person or persons who is visiting the Workplace and is not covered by any of the other categories defined by this Policy. For example, guests or candidates coming for interviews, meetings, events, programs, or people walking in for meeting existing employees, staff, etc.</p>



DH or Company	A Company incorporated on 14 June, 1960 under the provisions of the Companies Act, 1956, currently known as DH Limited.
Workplace	Means all places where any Company activity is carried out. It shall include: (a) All offices or other premises where Company business is conducted (b) All Company related activities performed at any other site (c) Any social, business, or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations (d) An alleged act of sexual harassment committed during or outside of office hours using any mode of communication including electronic communication (e) Any sexual harassment on any social networking website during or outside of office hour (f) Any place visited by Employee or arising out of or during employment with Company, including transport services if provided by Company for undertaking such journey

2. GOVERNANCE

2.1 ICC / POSH Committee

In compliance with the Act, a committee to redress complaints on Sexual Harassment has been formed by the Company ('ICC' or 'POSH Committee') to prevent sexual harassment and to receive and effectively deal with complaints pertaining to the same.

2.2 Constitution of ICC

Below is the list of members of the ICC constituted by the Company for its offices at Delhi and Ghaziabad:

Location	POSH COMMITTEE			
	Presiding Officer	Employee Member	Employee Member	External Member
Ghaziabad & Delhi	Ms. Ruby Chaudhary Manager (+91) 8982455827 chaudharyruby12@yahoo.com	Mr. Tushar Tyagi HR Head (+91) 8368110044 tushartyagi150@gmail.com	Ms. Anchan Negi Assistant Manager (+91) 7678494883 anchunegi1998@gmail.com	Ms. Avinash Kaur (+91) 9899199120 writetomisskaur@gmail.com



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The Employer must ensure that at least one-half of the total members so nominated on ICC shall be women.

Further, it is to be noted that currently there are no employees at the registered office of the Company located at Delhi location. However, once there are 10 or more employees at the Delhi Location, this POSH policy shall be applicable to the Delhi Location as well.

2.3 Responsibilities and Powers

2.3.1 Responsibilities of ICC

- a) Receive and address complaints of Sexual Harassment in a confidential and time-bound manner.
- b) Ensure that the mechanism for registering complaints is safe, accessible, and conducted with the due sensitivity necessitated by the situation.
- c) Conduct inquiries diligently, provide aid and redressal to Aggrieved Person, recommend penalties and take necessary action against the Respondent.
- d) To advise/ recommend the Employer to take necessary actions to provide interim relief to the Aggrieved Person
- e) Ensure quorum of minimum 03 (three) members during all inquiry meetings, with mandatory presence of the Presiding Officer at all inquiry meetings.
- f) Follow the principles of natural justice and treat the Complainant, Respondent, witnesses, and related persons to the inquiry with dignity and respect and give both the Complainant and the Respondent a fair opportunity to make their submissions.
- g) Act without any prejudice or bias while conducting inquiries or dealing with complaints.
- h) Make efforts to ensure that the Complainant and the witnesses are not further victimized or discriminated against while the complaint is pending
- i) Recuse themselves from their assigned job for the purpose of conducting an inquiry if there is conflict of interest or a bias coming in the way of conducting a fair inquiry.
- j) Document in detail all the inquiry proceedings and the inquiry report
- k) Refrain from talking about a potential, pending, or completed case with any member directly or indirectly connected to any form of media, including print, television, online, etc.
- l) Where the Respondent's conduct amounts to a specific offence under the Bharatiya Nyaya Sanhita or under any other law, initiate action in accordance with the Law by making a complaint with the appropriate government authority
- m) To maintain strict confidentiality throughout the process as per established guidelines
- n) To timely prepare & submit annual reports with the Employer & District Officer in the prescribed format in each calendar year.

2.3.2 Powers of ICC

2.3.2.1. The Committee shall have the power to recommend to Employer the action(s) to be taken against any person(s) found guilty of:

- a) sexually harassing the complainant;
- b) retaliating against/victimizing the complainant or any person before it;
- c) making false charges of sexual harassment against the accused person;



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- d) giving false evidence during enquiry into the allegations of sexual harassment;
- e) forgoing documents to substantiate a false charge or support a false defence.

2.3.2.2 The committee for the purpose of making an inquiry, 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: -

- a) summoning and enforcing the attendance of any person and examining him on oath;
- b) requiring the discovery and production of documents; and
- c) any other matter which may be prescribed.

Refusal by any Employee to attend any hearing before the ICC when summoned or to provide any document/information will constitute misconduct.

2.3.3 Responsibilities & Duties of Employer

- a) Provide a safe working environment.
- b) Not to tolerate any act of Sexual Harassment and treat Sexual Harassment as misconduct.
- c) Organize prevention of Sexual Harassment workshops and awareness programs at regular intervals for sensitising the employees with the provisions of the Act but not less than once a calendar year. These programs may be conducted virtually, in person, or through a combination of both, depending on the specific requirements.
- d) Display at conspicuous place in the Workplace, the penal consequences of Sexual harassment and the order constituting the ICC.
- e) Disseminate information regarding POSH through email to its employees
- f) Ensure that necessary facilities and information are provided to the ICC for dealing with complaints and conducting inquiries.
- g) Assist in securing the attendance of Respondent and witnesses before the ICC and make available such information to the ICC as it may require with regards to the complaint.
- h) Assist the ICC in any manner feasible to conduct a fair and expeditious inquiry and
- i) Implement recommendations made by the ICC within 60 (sixty days) and send a report of such implementation to the ICC.
- j) Assist the Employee, if they choose to file a complaint in relation to the offence under the Bharatiya Nyaya Sanhita, 2023.
- k) Cause to initiate action, under Bharatiya Nyaya Sanhita, 2023, against the Respondent or if the Complainant so desires, where the Respondent is not an employee, in the workplace at which the incident of sexual harassment took place.
- l) monitor the timely submission of reports by the ICC
- m) allow aggrieved person to work from home upon request during the pendency of an inquiry into a sexual harassment complaint
- n) The Employer shall include in its report the number of cases filed if any, and their disposal in the annual report
- o) Employer shall organise workshops as follows:
 - formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment in the organisation;



- carry out orientation programmes and seminars for the Members of the Internal Committee;
- carry out employees awareness programmes and create forum for dialogues which may involve Panchayati Raj Institutions, Gram Sabha, women's groups, mothers' committee, adolescent groups, urban local bodies and any other body as may be considered necessary;
- conduct capacity building and skill building programmes for the Members of the Internal Committee;
- declare the names and contact details of all the Members of the Internal Committee;
- use modules developed by the State Governments to conduct: workshops and awareness programmes for sensitising the employees with the provisions of the Act.

3. COMPLAINT OF SEXUAL HARASSMENT

3.1 Raising of complaint

By Complainant:

Complainant may lodge a written complaint with the POSH Committee, electronically, by emailing at tushartyagi150@gmail.com within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three (3) months from the date of last incident. Complaints arising of incidents more than three (3) months old shall not be accepted.

However, the ICC may, for reasons to be recorded in writing, extend such time limit of filing complaint up to further 3 months, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned above. The complaint should clearly mention name and available details of both the aggrieved person and the respondent. Anonymous or pseudonymous complaints will not be investigated.

The complainant shall submit six copies of the complaint accompanied by available supporting documents and relevant details concerning the alleged act of sexual harassment(s) including names and address of witnesses, if any which the complainant believes to be true and accurate.

Where any Employee or Third Party is sexually harassed by any external party who is not an Employee of the Company, either at the Workplace or in that external party's premises, then POSH Committee will contact the Internal Complaints Committee of that external party and/or law enforcement authority (as the case maybe), on the written complaint of such Employee or Third Party and address the matter to satisfactory closure.

Alternatively, Employee or Third Party may choose to reach out directly to Internal Complaints Committee of the external party and/or law enforcement authority (as the case may be) and the Company will assist on written request of the Employee or Third Party.

By Complainant in case of physical incapacity:

If the Complainant is unable to make a complaint on account of their *physical incapacity*, a complaint may be filed, with the written consent of the Complainant by:

- a) their relative or friend; or



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- b) their co-worker; or
- c) an officer of the National Commission for Women or State Women's Commission; or
- d) any person who has knowledge of the incident.

By Complainant in case of mental incapacity:

If the Complainant is unable to make a complaint on account of *mental incapacity*, a complaint may be filed by:

- a) their relative or friend; or
- b) a special educator; or
- c) qualified psychiatrist or psychologist; or
- d) the guardian or authority under whose care they are receiving treatment or care; or
- e) any person who has knowledge of the incident jointly with the Complainant's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care.

3.2 Complaint filing procedure

In compliance with the Act, a step procedure has been established by the Company to receive and effectively deal with complaints pertaining to the prevention of sexual harassment. **Annexure-1** to the policy entails the redressal mechanism of the Company for its offices.

4. REDRESSAL PROCEDURE

4.1 Conciliation

Prior to initiating an inquiry, the POSH Committee may, at the written request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation. The following needs to be adhered to with respect to conciliation:

- (a) Monetary settlement shall not be made.
- (b) If a settlement is reached, the POSH Committee will:
 - provide copies of the settlement to the Complainant and the Respondent.
 - record it and report it to the Board of Directors to take action as specified in the recommendation.
- (c) If a settlement is reached, the POSH Committee will not be required to conduct any further inquiry.

4.2 Inquiry

In case where a settlement is not feasible or could not be arrived at through conciliation, the ICC will conduct an inquiry into the complaint. Additionally, an inquiry may also be initiated if the aggrieved person informs the ICC that any terms of settlement has not been complied with by the respondent.



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The following needs to be adhered to with respect to conducting inquiry in case where settlement is not arrived/complied with or where respondent is an employee:

- a) On receipt of the complaint, the ICC shall send a copy of the complaint received from the Complainant to the Respondent within a period of 07 (seven) days.
- b) The Respondent will file a reply to the complaint within a period of 10 (ten) days from the date of receipt of the complaint.
- c) Complainant and/or Respondent will provide the name(s) of witness (if any) in writing to the ICC.
- d) The ICC shall consider the reply from the respondent and initiate an inquiry. The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the ICC. ICC shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.
- e) ICC will summon and enforce the attendance of any person, conduct examination, request the discovery and production of documents/information. Refusal by any Employee to attend any hearing before the ICC when summoned or to provide any document/information will constitute misconduct.
- f) Complaint shall be heard by a minimum of 03 (three) members including the Presiding Officer and the External Member.
- g) ICC shall complete the inquiry within reasonable period but not beyond 90 (ninety) days.
- h) ICC shall submit the final inquiry report to the Employer within 10 (ten) days of completion of the inquiry. The report shall include decision on Respondent's guilt, determination of compensation, if any and recommendations regarding the actions to be taken against the Respondent and such report shall also be forthwith made available to the complainant and respondent.

It must be noted that the procedure shall be followed even if the Respondent is the Employer.

4.3 Interim relief

During the pendency of an inquiry, upon the written request of the Complainant being an employee, the POSH Committee may recommend any of the following to Employer:

- a) Transfer the aggrieved person or the respondent to any other workplace or provide his/her with an option to work from home, as may be required, wherever possible; or
- b) Grant paid leave to the aggrieved person for up to a period of 03 (three) months (the leave granted shall be in addition to the leave the Complainant is otherwise entitled to);
- c) Restrain the Respondent from reporting on the work performance of the Complainant and assign the same to another employee (if applicable).



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- d) In case the complaint has been filed by an intern or an apprentice working under the Respondent, restrain the Respondent from supervising any official/academic activity of the Complainant and assign the same to another employee.
- e) Grant such other relief to the aggrieved person as may found to be appropriate.

It may be noted that any action(s) as mentioned aforesaid, shall be taken by the Employer based on the severity of the complaint on basis of recommendation of the ICC.

4.4 Responsibilities of Employee

- a) Report any inappropriate behaviour including, Sexual Harassment immediately.
- b) Support and cooperate during any inquiry of a complaint, including testifying as witness and giving full and truthful disclosure of all information when enquired by the POSH Committee, while ensuring that complete confidentiality is maintained throughout.
- c) Handle information related to known or suspected violations of this Policy in a discreet and confidential manner and not attempt to investigate / inquire into the information or suspected violations of this Policy on their own i.e., without involving the POSH Committee.
- d) Not misuse the Policy or the Law by filing malicious complaints for settling personal scores, seeking revenge or for personal gains, benefits, etc.

4.5 Appeal

Any person aggrieved by the recommendation of ICC may prefer an appeal to the court or tribunal in accordance with the relevant provisions of the Act and the Rules/law for the time being in force.

5. OTHER CONSIDERATIONS

5.1 Complaints filed in bad faith / false or malicious complaint and false evidence

Where ICC has reasons to believe or if on inquiry by ICC, it is revealed that the complaint was made with a malicious intent knowing it to be false and with the motive of maligning the Respondent/tarnishing their image or otherwise and/or to settle personal/professional scores or the aggrieved person or any other person making the complaint has produced any forged or misleading document, strict action will be recommended to the Employer by the ICC against the Complainant or the person who has made the complaint.

A mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant as the malicious intent on the part of the Complainant will have to be established through the inquiry process before an action against such Complainant is recommended.

Further, if ICC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action against him/her.

It may be noted that any action(s) as mentioned aforesaid, shall be taken by the ICC based on the severity of the complaint.



5.2 Action against ICC

Where the Presiding officer or any Member of the ICC,

- a) contravenes the provisions of Section 16 of the Act;
- b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
- c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
- d) has so abused his position as to render his continuance in office prejudicial to the public interest

such Presiding officer or Member, as the case may be, shall be removed from the committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of the Act.

5.3 Confidentiality

This policy and the law prohibit any person including ICC Members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the ICC during the proceedings or actions taken by the employer under the provisions of the Act.

If any person (including the Complainant and/or any witness) discloses confidential information, the Company shall take appropriate actions.

5.4 Filing of complaints with Law Enforcement Authority

This Policy does not preclude aggrieved person from simultaneously lodging a complaint with law enforcement authority in respect of any act amounting to an offence under the Law. If any assistance is sought, the Company will provide the same.



Annexure 1

