

INTERNATIONAL CONVEYORS LIMITED
POSH (Prevention of Sexual Harassment) Policy

Table of Contents

S.N.	Particulars	Page No.
01	Definition of Terms	02
	a) "Aggrieved Person"	02
	b) "Committee"/ "POSH Committee"	02
	c) "Employer"	02
	d) "Sexual Harassment"	02
	e) "Employee"	02
	f) "Respondent"	02
	g) "Workplace"	02
02	Introduction	03
03	Objectives	03
04	Scope	03
05	Effective Date	03
06	Constitution of POSH Committee	03
07	POSH Committee Meeting	04
08	Procedure for dealing with complaints	05
	8.1) Filing of Compliants	05
	8.2) Process of Inquiry	05
	8.3) Decision & Action	06
09	Contact	07
10	Annexure-A	08

1 **Definition of Terms**

- a) **“Aggrieved Person”** means a person, irrespective of the gender, in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b) **“Committee” or “POSH Committee”**: Committee formed against Sexual Harassment at Workplace under this Policy, empowered to exercise all rights and obligations under this policy
- c) **“Employer”** means in relation to any department, the head of that department, in relation to any state/zonal/regional office, then the head of that state level/zonal/regional office, in relation to the Organization, the head of that Organization; and includes the person or board or committee responsible for formulation and administration of policies for such Organization.
- d) **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) such as:
 - i) physical contact and advances; or
 - ii) a demand or request for sexual favours; or
 - iii) sexually coloured remarks; or
 - iv) showing pornography; or
 - v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment;

- i) implied or overt promise of preferential treatment in her employment; or
- ii) implied or overt threat of detrimental treatment in her employment; or
- iii) implied or overt threat about her present or future employment status; or
- iv) conduct of any person which interferes with her work or creates an intimidating or offensive or hostile work environment for her; or
- v) Humiliating conduct constituting health and safety problems for her.

This is only indicative list of possible acts which could be treated as sexual harassment and is in no way intended to be construed as an exhaustive list.

- e) **“Employee”** means a person, whether male, female or transgender, employed at workplace for any work on regular, temporary, ad hoc basis, either directly or through a consultant, including a contractor, 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;
- f) **“Respondent”** means an Employee against whom the aggrieved person made the complaint
- g) **“Workplace”** includes any department, organization, undertaking, establishment, enterprise, institution, office, points of presence or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the Organisation for undertaking such journey.

2 Introduction

International Conveyors Limited (ICL) is committed to creating and maintaining a secured work environment where its employees, agents, contract workers, vendors and partners can work and pursue business together in an atmosphere free of sexual harassment, exploitation, intimidation.

All concerned should take cognizance of the fact that (ICL) strongly opposes sexual harassment. Moreover, such behaviour against any employee is prohibited under applicable penal laws in general, and more so, against women as laid down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder (“SHWW” Act). In consideration of the above need, ICL has defined the POSH policy and constituted [POSH \(Prevention of Sexual Harassment\) committee](#) for effective implementation and administration of this Policy.

3 Objectives

POSH policy is aimed to define the guidelines and the procedure to be followed in order to provide protection against sexual harassment at workplace and for the prevention and redressal of complaints of sexual harassment and for all other matters related thereto.

4 Scope

Policy is applicable to all categories of employees irrespective of gender, working with ICL including permanent and contract employees. The policy also extends to Company’s customers, visitors, suppliers, business clients, consultants etc., and any third party who visits the Workplace of the Employer.

The workplace includes:

- All offices or other premises where the Company’s business is conducted.
- All company-related activities performed at any other site away from the Company’s premises.
- Any mode of transport provided by the Organization to and from aforementioned locations

Special provisions in the event of a complaint by a woman

In case of a complaint by any aggrieved woman against sexual harassment at work place, in addition to the Policy laid down herein, the provisions of The Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and rules made thereunder will apply.

The Committee so constituted, acts and exercises all powers as “Internal Complaints Committee”, to the extent of sexual harassment of women at workplace, as contemplated under the SHWW Act, 2013, and the rules made thereunder.

In addition to the Employees on roll and Employees on contract, the right to make a complaint against sexual harassment, is extended to all classes of women (i.e. employed or engaged through service providers or visitors) as enumerated in clause (f) of section 2 of the SHWW Act.

5 Effective Date

November 06, 2015

6 Constitution of POSH Committee

The POSH Committee is constituted by ICL to consider and redress complaints of sexual harassment at Workplace. ICL shall constitute and appoint the Chairperson and Members of the Committee.

1. The Committee shall consist of the following members:
 - a) **A Chairperson/Presiding Employee** shall be a woman employed at a senior level at workplace from amongst the employees. In the absence of a senior women employee, external eminent woman in the field of social work/legal, and well acquainted in the matters relating to sexual harassment shall be appointed.

- b) **Members of the Committee:** Other members of the Committee shall be appointed from amongst the employees' subject to following conditions –
- i. At least two members shall be from amongst employees preferably committed to the cause of women or familiar with the issues relating to sexual harassment.
 - ii. At least one-half of the total number of members so nominated shall be women.
 - iii. The Company may also consider to nominate any ex-employee (either resigned or retired), as an external member, subject to the condition that no disciplinary action was initiated against the said ex-employee during his/her employment with the Company.
2. The total number of members shall not be more than 6.
 3. A quorum of three (03) members is required to be present for conducting the meeting. The quorum shall include the Chairperson and at least two (02) members, one of whom shall be a woman.
 4. Disqualification to be nominated as a member of the Committee: If any disciplinary action was taken against any employee by the Committee previously, then such employee shall not be eligible to be nominated as member of the POSH Committee.
 5. The Chairperson and the Members shall hold the office for a period of three (03) years from the date of nomination or as may be specified by the Committee unless he/she is removed from the Committee on the below grounds
 - i. if he/ she is convicted under any law; or
 - ii. if he/ she is convicted for any contraventions under Section 4 (5) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("SHWW Act"), and/or the rules made thereunder; or
 - iii. in case any action is taken by the Committee against him/her for any act of commission/ omission in contravention of his/her service regulations.
 6. After the completion of the term by any of the existing member, such vacancy may be filled by the POSH Committee (Internal Complaint Committee "ICC") from amongst the other Employee's keeping in view the eligibility norms for nomination to the Committee and other conditions as mentioned in clause 1(b) referred above.

In case no such Employee is available for such nomination, then, the POSH Committee may consider the re-nomination of any of the Employees who served previously as member on the Committee.
 7. In addition to the above guidelines, the members of POSH Committee shall comply with all other stipulations as required and stipulated under the SHWW Act and the rules made thereunder and the Committee shall always and continue to be compliant with the provisions of the SHWW Act.
 8. Any external member appointed to the Committee shall be paid such fees or allowances for attending the proceedings of the Committee, as may be prescribed.

The details about the current members of the POSH Committee is enclosed in Annexure "A".

7 POSH Committee Meeting

The POSH Committee shall meet in every quarter and review the position of the implementation of the Policy for protection of Employees against Sexual harassment.

However, whenever there is a complaint received, for sexual harassment, the Committee shall meet within 48 hours of receiving the complaint, without waiting for the due date for the quarterly meeting.

After each meeting of the Committee, detailed minutes shall be prepared and circulated which is signed by all the members present at the meeting.

8 Procedure for dealing with complaints

8.1 Filing of complaints

- a) Any Employee/Aggrieved Person, as the case may be, who suffered or encountered sexual harassment may submit a complaint to POSH committee at posh@icbelting.com. The said complaint should contain all available details/information that the complainant has or is aware of. Issues have to be first reported to POSH committee and Employee should refrain from reporting to any external party.
- b) Any information, statement or document relating to conciliation, inquiry or recommendations shall not be published, communicated or made known to public, press/media in any manner. If such information is being shared, then the concerned person who was responsible in handling the complaint is liable for action as per the disciplinary policy.
- c) If complaints of sexual harassment are submitted to or received by the Managers or HR Business Partners, the said Manager or HR Business Partner have to forward the same immediately to posh@icbelting.com. Further, Manager or the concerned HR Business Partner has an obligation and duty to ensure complete confidentiality of the complaints they have received. It is important to emphasize that regardless of the avenue used to report complaints, Employees will not be retaliated against in any way for making a good faith complaint of sexual harassment.
- d) The complainant shall have to make the complaint within three (03) months from the date of happening /or occurrence of the incident. In case of delay, the complainant shall have to provide reasons for delay in making the complaint beyond the stipulated period. In case, if the complainant makes the complaint beyond three (03) months, then, the Committee shall have the sole discretion whether to entertain the complaint or not.

8.2 Process of Inquiry

- a) a) On receipt of the complaint, the Committee shall immediately, or in any case within 48 hours from the receipt of the complaint, meet and shall appoint a Preliminary Investigation Officer to find the facts and substance of the case.
- b) The Committee shall also hold a meeting with the Complainant within three (03) days from the date of the receipt of the complaint, but no later than five (05) in any case.
- c) Thereafter, the person against whom complaint ("the respondent") is made may be called for a deposition and submit the documentary and other proof before the Committee; If the respondent denies the allegations, or the Committee is not satisfied with the explanation given by the respondent, the Committee shall proceed with a detailed inquiry into the allegations and conclude the same as per the guidelines provided herein.
- d) In the event, the complaint falls under the purview of Sexual Harassment, the same shall have to be pursued in accordance with this Policy. However, if the complaint does not fall under the purview of Sexual Harassment, the same would be closed after recording the reasons thereof.
- e) In the event that a complaint is received against a member of the POSH Committee, the said member shall not in any event participate in any proceedings connected to the said complaint.

- f) If the Committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved Employee or any other person making the complaint has made the complaint knowing it to be false or the aggrieved Employee or any other person making the complaint has produced or cause to be produced any forged or misleading document, appropriate action will be taken against such Aggrieved Person in accordance with the Service Rules of the Organisation.
- g) At the first meeting with the Complainant, the Committee members shall hear the Complainant and record the allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, electronic records etc., to substantiate the complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady member shall meet and record the statement.

8.3 Decision & Action

- a) The Complaints Committee shall scrutinize the complaints so received, and shall thereafter decide on further course of action. The Complaints Committee could, at its discretion depending on the gravity of the allegations, either conduct a detailed inquiry or take other suitable action based on the evidence available in accordance with the provisions of the SHWW Act.

8.3.1.1 Conciliation Process

- i. The Committee shall give an opportunity to both the Complainant and the Respondent to amicably settle the matter before initiating the Inquiry. Provided that monetary compensation shall not be the consideration for Conciliation.
 - ii. Where a settlement has been arrived at between the Complainant and the Respondent, the Committee should record such settlement terms and conditions and provide such settlement copies to the Complainant and the Respondent for their acknowledgement; and signatures should be taken.
 - iii. Once the Settlement is arrived at, with the free consent of both the parties and in compliance of the law, no further inquiry shall be conducted by the Committee.
 - iv. If the Complainant informs the Committee that any term or condition of the Settlement arrived at, has not been complied with by the Respondent, the Committee shall proceed to make an inquiry into the Complaint.
 - v. In case, there is no Conciliation or Settlement between the Complainant and Respondent, the Committee shall immediately proceed with the Inquiry and communicate the same to the Complainant and the Respondent.
 - vi. During the process of inquiry, if both the parties come forward and intend to settle the issue amicably, then, the Inquiry Officer may allow the same and record the full details of the settlement and the proceedings should be signed by all the parties including the witnesses. Monetary compensation shall not be a ground for conciliation.
- b) The Committee will maintain a register to register the complaint(s) received by it and keep the contents confidential except under the circumstances where it has to be used for discreet investigation. The register shall contain all the details including all the steps taken by the Committee from time to time to redress the grievance till the complaint is completely closed in accordance with the provisions stipulated under this Policy.
 - c) The Committee shall maintain all the records pertaining to a complaint, including but not limited to the depositions, written submissions, inquiry proceedings, observations, etc.,

- d) The recommendation of the Committee is final and binding on both the parties as well as the Employer.

Head, Human Resource will direct appropriate action in accordance with the recommendations made by the Committee and shall inform the POSH Committee of the action taken on the Committee's recommendations in any complaint for the purpose of updating the Committee's register.

9 Contact

posh@icbelting.com

Annexure-“A”**HEAD OFFICE, KOLKATA (West Bengal)**

S.N.	NAME	DESIGNATION	Contact No.	Email ID
1	Ms. Dipti Sharma	Presiding Officer/Chairman	7003855040	cs.icl@icbelting.com
2	Ms. Pushpita Chakraborty	Member	8421584588	pchakraborty@icbelting.com
3	Mr. Sailendra Kumar Barzatia	Member	033 4001 0061	sailendra@icbelting.com
4	Ms. Vimi Ramani	Member	033 4064 5734	icltd@icbelting.com
5	Mr. Kerron Vaishnav	Member	8554007777	dishangotrust@gmail.com

AURANGABAD (Maharashtra)

S.N.	NAME	DESIGNATION	Contact No.	Email ID
1	Ms. Dipti Sharma	Presiding Officer/Chairman	7003855040	cs.icl@icbelting.com
2	Ms. Pushpita Chakraborty	Member	8421584588	pchakraborty@icbelting.com
3	Mr. Gaurav Agarwal	Member	9420613060	gsagrawal@icbelting.com
4	Ms. Vimi Ramani	Member	033 4064 5734	icltd@icbelting.com
5	Mr. Kerron Vaishnav	Member	8554007777	dishangotrust@gmail.com

FALTA, SEZ (West Bengal)

S.N.	NAME	DESIGNATION	Contact No.	Email ID
1	Ms. Dipti Sharma	Presiding Officer/Chairman	7003855040	cs.icl@icbelting.com
2	Ms. Pushpita Chakraborty	Member	8421584588	pchakraborty@icbelting.com
3	Mr. Abhijit Guha	Member	9830552203	abhijitguha@icbelting.com
4	Ms. Vimi Ramani	Member	033 4064 5734	icltd@icbelting.com
5	Mr. Kerron Vaishnav	Member	8554007777	dishangotrust@gmail.com

****Amended w.e.f. 26.12.2022.***