

## PREVENTION OF SEXUAL HARASSMENT POLICY

### ZENEX ANIMAL HEALTH INDIA PRIVATE LIMITED

#### Authorization:

Document Author	Document Owner	Reviewed By	Approved By
[Ms. Swati]	[Mr. Vinay Tiwari]	[Mr. Vinay Tiwari]	Board of Directors on [●]

#### Review & Amendment Log:

Version	Modification Date	Section	Amendment / Modification / Deletion	Brief Description of Change/Review
1.0	May 11, 2022	-	Amendment	Policy re-drafted as per of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
1.1	Oct 18, 2023		Amendment	Change in committee members

## **1. Objective:**

- To foster a professional, open and trusting workplace to ensure that every employee is treated with dignity and trust and equality.
- To be equal employment opportunity provider by not discriminating the employees on the ground of gender and providing a safe working environment to all its employees.
- To abide by provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, (hereinafter referred to as POSH Act, which came into force from December 09, 2013 for providing protection of women employees from sexual harassment at workplace.

## **2. Scope and Guidelines**

The policy is framed as per POSH Act and applies to all categories of employees or staff of Zenex Animal Health India Pvt Ltd (hereinafter referred as, the Company), including management personnel, workmen, temporaries, trainees, daily wage employees, any person who is working on volunteering basis i.e. without any consideration and employees on contract at the workplace including others with whom an employee interact in the course of his/her work as a company employee ("hereinafter referred as Policy").

- The Company desires to have a workplace which is free from any kind of sexual harassment and to provide protection against sexual harassment to its employees and others with whom their employees interact arising out of or during the course of employment and to provide them the right to work with dignity.
- The company will not tolerate or allow any kind of sexual harassment by any employee as it is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace.
- If you are being harassed:
  - i. Tell the accused that his / her behavior is unwelcome and ask him / her to stop.
  - ii. Keep a record of incidents (dates, times, locations, possible witness, what happened, your response). It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.
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- Any complaint or report of sexual harassment shall be treated promptly, seriously and sympathetically. It will be investigated thoroughly and impartially.
- Secrecy and confidentiality shall be maintained so as not to harm or affect adversely the social status of interested parties.

### 3. Definitions:

#### **Aggrieved Woman:**

- i. Woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent in the workplace and shall include contractual staffs, temporary staffs, or visitors.
- ii. **Complainant :**  
Any Aggrieved woman or any person as mentioned in Section 7.1
- iii. **Employee :**
  - a person employed at a workplace for any work on regular, temporary, adhoc or daily wage basis, either directly or by 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 domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called. This broad definition of "Employee" used for the purpose of this policy cannot be used to claim rights of an employee conferred by any other law of the land
- iv. **Employer :** A person who is responsible for management, supervision and control of the workplace for the purpose of this Policy.
- v. **Respondent:** An accuser who has been accused by the complainant of sexual harassment.
- vi. **Workplace:** Workplace means
  - a) Office, Company premises, Company-related activities performed at any other site away from the Company's premises, business parties, get-together, company celebration, transit house, guest house, official hotel stay, or any other such place, vehicle .i.e. official tour either by air, land, rail or sea visited by the employee arising out of, or during and in the course of employment.
  - b) Any place visited by the employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey.
  - c) Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace relations.
- vii. **Sexual harassment**

#### **It would include any one or more of the following acts or behavior whether directly or by implication:**

- Unwelcome sexually determined behavior, physical contact, advances, sexually coloured remarks;
- Showing Pornography, sexual demand, request for sexual favours or any other unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions, lewd stares;
- Molestation, stalking, sound, signs, non-verbal communication, eve-teasing, innuendos and taunts, vulgar, kidding or demeaning language, any such actions which may include, but is not limited to:

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

Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code, (45 of 1860) or under any other law; it shall be the duty of ICC to immediately inform the Complainant of her right to initiate action in accordance with the law with the appropriate authority, and to give advice, guidance and support and reasonable assistance in initiating the action. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy

#### **4. RESPONSIBILITIES AND DUTIES**

##### **4.1 Duty of Employees:**

All employees of the Company shall have a personal responsibility to ensure that their behavior is not contrary to this Policy.

##### **4.2 Duty of the Employer**

- i. The Company will take up reasonable steps to ensure prevention of sexual harassment at workplace. The Company shall be responsible, among others for the following:
  - a. To prohibit, prevent and deter commission of acts of sexual harassment.
  - b. To spread awareness about the Policy amongst its employees, including by workshops, publication, notification and circulation of the Policy/ general awareness bulletins,
  - c. To sensitize employees about sexual harassment issues and the Policy.
- ii. Upon becoming aware of the commission of an act(s) of sexual harassment, the Company shall have the right to initiate action on its own accord, even in the absence of a formal complaint being filed by an employee.

#### **5. CONSTITUTIONS OF INTERNAL COMPLAINTS COMMITTEE (ICC):**

- An Internal Complaints Committee has been constituted by the Company under the POSH Act for making complaints in case of any sexual harassment and to conduct an inquiry and for redressal of a complaint. Such complaint mechanism will ensure time bound redressal of the complaint. These complaints shall be dealt with in a manner as provided under POSH Law.
- In case of any conflict between the provisions of POSH Act and the provisions of this Policy, the provisions of POSH Act shall prevail.

- The ICC has been constituted by the Company and have the member as mentioned in Annexure A to conduct an inquiry and for redressal of the Complaint. Any change in the constitution of the ICC shall be notified from time to time.
- The ICC shall consist of the following members to be nominated by the employer, namely-
  - i. A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees. However, in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices and administrative units of the Company.
  - ii. At least two members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge
  - iii. One member from amongst non-governmental organizations or associations committed to the cause of women, or a person familiar with issues pertaining to sexual harassment.
  - iv. The Presiding Officer of the Committee shall be a woman and the majority of the ICC members shall also be women.
  - v. No person who is a complainant, witness, or respondent party in the complaint of sexual harassment shall be a member of a Committee. Any Committee member charged with sexual harassment in a written complaint must step down as a member of the Committee during the enquiry into that complaint.
  - vi. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer and at least two members. Where the Presiding Officer or Member of the ICC contravenes the provisions of the POSH Act, they shall be removed from the ICC and the vacancy so created or any casual vacancy shall be filled by fresh nomination by the employer.
  - vii. At least half of the total members so nominated shall be women
- The Presiding Officer and every member of the Internal Complaints Committee shall hold office for such period not exceeding three years from the date of nomination.
- The victim and / or the accused shall not be disadvantaged in his / her employment conditions or career opportunity, during the course of enquiry / investigation.

## **6. Power Of Internal Complaints Committee**

The ICC shall have the same powers as 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.
- c. Any other matter which may be prescribed.

The ICC shall be responsible, among others, for the following:

- a. Receiving complaints of sexual harassment at the workplace.
- b. Initiating and conducting inquiry as per the established procedure.
- c. Submitting findings and recommendations of inquiries.
- d. Coordinating with the employer in implementing appropriate action.
- e. Maintaining strict confidentiality throughout the process as per established guidelines.
- f. Submitting annual reports in the prescribed format (Refer Annexure B).

The ICC shall carry out detailed enquiry into the complaint and follow the process adhering the law of natural justice i.e. opportunity provided to victim and respondent to prove his/her case, fairness in proceedings, counseling, unbiased approach, etc.

## **7. COMPLAINTS OF SEXUAL HARASSMENT:**

### **7.1 Who can lodge the complaint?**

- A.** A complaint may be made/ lodged/ registered by:
  - i. any aggrieved woman/employee who believes she/he is being sexually harassed  
or;
  - ii. such other persons as mentioned hereinafter in clauses 7.1 (B) and (C).
  
- B.** If the aggrieved woman/employee is unable to lodge the complaint on account of her/his
  - i. physical incapacity , the following persons may do so on her/his behalf:
    - a) Legal heir, relative or friend;
    - b) Co-worker;
    - c) An officer of the National Commission for Women or State Women's Commission;
    - d) Any person having the knowledge of the incident, with the written consent of the aggrieved woman/employee.
  - ii. mental incapacity , the following persons may do so on her behalf:
    - a) Her/employee's relative or friend; or
    - b) A special educator ; or
    - c) A qualified psychiatrist or psychologist;
    - d) The guardian or authority under whose care she/he is receiving treatment ; or
    - e) Any person who has knowledge of the incident jointly with her/his relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she/he is receiving treatment or care.
  
- C.** Where the aggrieved woman/employee:
  - i. 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/his written consent.
  - ii. is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir.

## **7.2 Registering a Complaint:**

- i. Any of the above as mentioned in Section 7.1 or any aggrieved person, may submit a detailed complaint of the alleged incident in writing, along with any documentary evidence to any member of the ICC in writing with her signature **within 3 months of occurrence of incident** and in case of series of incidents, **within a period of three months from the date of the last incident**.
- ii. Any committee member may be informed or contacted on their email ids mentioned in **Annexure A**.
- iii. 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 ICC immediately. If such complaint cannot be made in writing, the Presiding Officer or any member of the ICC shall render all reasonable assistance to the complainant for making the complaint in writing.
- iv. The ICC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman/employee from filing a complaint in 3 months.

## **8. RESOLUTION**

### **8.1 Resolution through Conciliation**

- i. ICC before initiating an inquiry, at the request of the aggrieved woman/employee may take steps to settle the matter between the complainant and respondent through conciliation. If conciliation is found to be not feasible, notice shall be issued to both the parties.
- ii. It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
- iii. In case a settlement is arrived at, the ICC shall report the settlement so arrived to the employer for taking appropriate action.
- iv. Resolution through conciliation shall happen within 2 weeks of receipt of the complaint.
- v. However, if the terms arrived during conciliation has not been complied with by the Respondent, the ICC shall proceed to make an inquiry into the complaint.
- vi. The ICC shall provide copies of the settlement to the complainant & respondent. Once the settlement is implemented, no further inquiry shall be conducted

### **8.2 Through Formal Inquiry:**

- A. The ICC shall initiate inquiry in the following cases:
  - i. If conciliation has not been requested by the aggrieved woman/employee;

- ii. If conciliation has not resulted in any settlement; or
  - iii. The complainant informs the ICC that any term or condition of the settlement has not been complied with by respondent.
- B. The ICC shall then proceed to make an inquiry into the complaint in accordance with the service rules applicable to the respondent, and where no such rules exist, in such manner as may be prescribed within a period of 1 week from the receipt of the original complaint/closure of conciliation/second complaint.

### **8.3 Manner of inquiry into complaint**

- i. The complainant shall submit six copies of the complaint along with supporting documents and the names and addresses of the witnesses.
- ii. Upon receipt of the complaint, the ICC shall, **within a period of 7 working days**, send a copy of the complaint to the respondent.
- iii. The respondent shall file a reply to the complaint along with his list of documents, and names and addresses of witnesses **within 10 working days** from receiving the copy of the complaint.
- iv. No legal practitioner shall be allowed to represent any party at any stage of the inquiry procedure.
- v. The ICC shall be guided by the principles of natural justice throughout the course of the inquiry.
- vi. In conducting an inquiry, a minimum of three Members of the ICC including the Presiding Officer shall be present

### **8.4 Interim Relief:**

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

- i. transfer the complainant or the respondent to any other workplace;
- ii. grant leave to the aggrieved woman/employee up to a period of 3 months, in addition to the leave she/he would be otherwise entitled to;
- iii. restrain the respondent from reporting on the work performance of the aggrieved woman/employee or writing her/his confidential report including appraisal, and assign the same to another officer ; and
- iv. grant such other relief as may be appropriate

Provided that no woman/employee shall be transferred except on her/his own request or suspended; and, the leave granted to her/his under this section will be in addition to the leave she/he would be entitled to otherwise if the case is proved.

On implementation of the interim measures, the employer shall send the report of such implementation to the ICC.



## 8.5 Termination of Inquiry

The ICC may terminate the inquiry or give an ex-parte decision after providing **a 15 days' notice period** in writing, if either of the parties remains absent for 3 consecutive hearings, without sufficient cause.

## 8.6 Inquiry Procedure

- i. All the proceedings of the inquiry shall be documented.
- ii. The ICC shall interview the respondent separately, in an impartial manner. The ICC shall state the exact nature of the allegation and the person who has made the allegation.
- iii. The respondent shall then be given a full opportunity to respond and make his/her representation. Detailed notes of the meetings that are prepared by the ICC may be shared with the parties, upon request by them. The witnesses produced by the respondent shall also be interviewed & their statements shall be taken on record.
- iv. If the complainant or the respondent desire to cross examine any witness, the ICC shall facilitate the same and record the statements.
- v. In case the parties wish to question the other, the same shall be forwarded to the ICC for the purpose of questioning, and recording the statements of the other party. Any such inquiry, including the submission of the Inquiry Report, shall be completed **within a period of 90 days from the date of receipt of complaint.**
- vi. The ICC shall **within 10 (ten) days from the date of completion of inquiry**, provide a report of its findings to the Employer and such report shall also be forthwith made available to the Complainant and Respondent.
- vii. The employer shall act upon the recommendation received from ICC **within sixty days of receipt of it.**
- viii. The inquiry procedure shall ensure absolute fairness to all parties.

### **Procedure:**

- Any employee who feels and being sexually harassed may submit the alleged incident to any member of the Committee **within 7 days of the first occurrence of such an incident.**
- An employee can inform any committee member by a written statement OR s/he can write to the committee on confidential mail id : [support\\_posh@zenexah.com](mailto:support_posh@zenexah.com).
- Any other employee also registers a complaint of such incident if s/he would learn that such incident happening / happened with her fellow employee. [S/he may blow the whistle of such happening.]

### **Enquiry/ Redressal procedure:**

- The committee (or one/more of the committee members) will hold

meeting with the complainant **within 10 days from receipt of the complaint**. The committee shall ensure that a fair and just investigation shall be undertaken immediately.

- The person accused will be informed that a complaint has been filed against him/her and no unfair act of retaliation or unethical action will be tolerated.
- At the request of the aggrieved complainant the Committee, as the case may be, may, before initiating enquiry under this Act, take steps to settle the matter between her/him and the respondent through conciliation.
- Where a settlement is arrived at under sub-section (8.1), the Committee, as the case may be, shall record the settlement and recommend to the higher authority to take action as prescribed in the reconciliation statement.
- The Committee, as the case may be, shall provide the copies of the settlement recorded to the aggrieved complainant and the respondent
- Where a settlement is arrived at, no further enquiry shall be conducted by the Committee, as the case may be. However, where the conciliation is not arrived, the Committee, as the case may be, shall, proceed to make the enquiry.
- Where the aggrieved complainant informs the Committee, as the case may be, that any term or condition of the conciliation arrived has not been complied with by the respondent, the Committee shall also proceed to make inquiry into the complaint.
- The Committee, as the case may be, shall have such powers for the purpose of making enquiry as may be prescribed. The enquiry shall be completed **within a period of ninety days**.
- Both the complainant and accused initially will be questioned separately with a view to ascertain the veracity of their contentions.
- If required, the person who has been named as witness will be needed to provide necessary information to assist in resolving the matter satisfactorily.
- The committee may pass any interim order / relief / decision as deemed fit and shall be binding to all parties till the investigation is completed. During the pendency of enquiry, on a written request made by the complainant, the Committee, as the case may be, may recommend to -  
(a) transfer the complainant or the respondent to any other workplace; or (b) grant leave to the complainant; or (c) grant to the complainant any other relief which may be prescribed.
- Provided that no woman/employee shall be transferred except on her/his own request or suspended; and, the leave granted to her under this section will be in addition to the leave she would be entitled to otherwise if the case is proved.
- The findings shall be then submitted to employer along with recommended action, if any. The complainant and accused shall be informed of the outcome of the investigation.
- In the event, a complaint does not fall under the purview of sexual harassment or the complaint does not mean an offence of sexual

harassment, the same would be dropped after proper recording of the reasons thereof. In case, the complaint is found to be false, the complainant shall, if deemed fit, be liable for disciplinary action by the management.

### **Consideration while making Inquiry Report**

While preparing the findings/recommendations, the following are considered:

- Whether the alleged act was sexual or derogatory in nature.
- Whether the allegations or events follow a logical and reasonable interpretation from the evidence.
- Credibility of the complainant, respondent, witnesses, and evidence produced.
- Other similar circumstances surrounding the parties. For e.g. previous cases of harassment pertaining to the respondent.
- Whether both the parties have been given an opportunity of being heard.
- Whether a copy of the proceedings was made available to both the parties, enabling them to make their respective representations against the findings.

Further, a copy of the final findings will be shared with the complainant and the respondent to give them an opportunity to make a representation on the findings of ICC.

### **Disciplinary action:**

- The report of the Committee shall be treated as final and on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- The employer will direct the appropriate action in accordance with the recommendations proposed by the Committee which may encompass
  - i. Mutual settlement
  - ii. Apology (written / verbal)
  - iii. Bond of Good Conduct
  - iv. Advisory notice / Warning Notice
  - v. Transfer
  - vi. Holding annual increment / advancement (applicable for 1st year only)
  - vii. Demotion
  - viii. Suspend the respondent for the period not exceeding 15 days
  - ix. Termination of service
- Direct the respondent to pay such sum of compensation to the complainant or to legal heirs, as it may determine, in accordance with the provisions; provided that recovery from pay/salary/wages, in no case, shall exceed one fourth of the salary/wages earned in that month.
- For the purpose of determining the compensation to be paid to complainant under clause the committee shall have regard to:
  - i. Mental trauma, pain, suffering and emotional distress caused to the complainant;

- ii. Loss in the career opportunity due to the incident of sexual harassment;
  - iii. Medical expenses incurred by the victim for physical or psychiatric treatment;
  - iv. Income and financial status of the respondent;
  - v. Feasibility of such payment in lump sum or in instalments.
  - vi. Criminal proceedings will be initiated, if warranted.
- In the event the Committee finds that the complaint is false, it will be recommended further action. This may be to determine if the false complaint was mal-intended or frivolous. Based on the findings thereof, any or all of the actions may be taken against the employee making such a complaint.
  - Also, if it is revealed during the investigation that any forged or misleading document was produced by either complainant or respondent, the disciplinary action will be taken as the case may be. If an employee further commits such misconduct, his / her services are deemed to be terminated immediately.

**Documentation:**

- The committee shall keep complete and accurate documentation of the complaint, proceedings and the resolution thereof.
- The incident would be documented in both complainant's and accuser's personal file with full report of the Committee.

**Confidentiality:**

- The complainant, respondent, witnesses and any other person involved during the enquiry proceedings need to execute Confidentiality Bond.
- All information, material evidences, any other reports / documents shall be kept utmost confidential & any person, including witnesses, who breaches confidentiality, shall be subject to strict disciplinary action.
- The Company will ensure that the privacy of the individuals involved is protected, and that fair treatment is given to both the complainant and the respondent. Information about individual complaints, identity, addresses of the aggrieved woman/employee, respondent and witnesses; any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee and the action taken by the Company will be considered "confidential" and will not be published, communicated, or made known to the public, media and press in any manner.

**The Management reserves the right to amend, alter and modify this policy at its sole discretion without any prior notice.**

<b>Prepared By:</b> Mr Vinay Tiwari Head - HR & Admin.	<b>Approved By:</b> Dr Arun Atrey Managing Director
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**ANNEXURE A:**

For Head Office

Sr. No.	Name	Designation	Email-id
1.	Dr Sonal Rane (Manager-PMT)	Chairperson	<a href="mailto:sonalrane@zenexah.com">sonalrane@zenexah.com</a>
2.	Mr. Bhaskar Joshi ( Advocate)	External Member	<a href="mailto:joshi.bhasker1@rediffmail.com">joshi.bhasker1@rediffmail.com</a>
3.	Mr. Vinay Tiwari (Head HR & Admin)	Member	VinayTiwari@zenexah.com
4.	Dr. Abhishek Jain (Head Technical & Promotion Livestock)	Member	Abhishekjain@zenexah.com
5.	Ms. Aarti Solanki (Sr. Executive - Procurement)	Member	<a href="mailto:AartiSolanki@Zenexah.com">AartiSolanki@Zenexah.com</a>
6.	Ms. Swati Sahu (Company Secretary)	Member	swatisahu@zenexah.com
7.	Ms. Sonal Dash (Dy. Manager, HR & Admin)	Member	sonaldash@zenexah.com

For Haridwar Plant

Sr. No	Name	Designation	Email-id
1.	Dr. Sonal Rane (Manager-PMT)	Chairperson	sonalrane@Zenexah.com
2.	Mr. Bhaskar Joshi (Advocate)	External Member	<a href="mailto:joshi.bhasker1@rediffmail.com">joshi.bhasker1@rediffmail.com</a>
3.	Mr. Vinay Tiwari (Head HR & Admin)	Member	VinayTiwari@Zenexah.com
4.	Mr. M P Singh (Plant Head)	Member	mahendersingh@Zenexah.com
5.	Ms. Swati Mishra, (Officer QC)	Member	swatim@zenexah.com
6.	Ms. Swati Sahu (Company Secretary)	Member	<a href="mailto:swatisahu@zenexah.com">swatisahu@zenexah.com</a>

## **Annexure B**

### **Essential Contents To Be Provided In The Report**

Such reports must include the following information:

1. No. of complaints received;
2. No. of complaints disposed of;
3. No. of cases pending for more than 90 days;
4. No. of workshops/awareness programs carried out;
5. Nature of action taken by the employer;