POLCY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

("POSH POLICY")

1. Purpose

Palsons Derma Pvt. Ltd (hereinafter refereed as "**Palsons Derma/Company"**) & its group of companies are committed to the principles of equal opportunity and equality of treatment. Each employee is entitled to equal respect and dignity. We have established competitive employment policies, practices and benefits reflecting its status as a leading healthcare company and its desire to attract, develop and retain the best people.

As equal opportunity employer, Palsons Derma aims to provide a work environment that is free of sexual harassment whether physical, verbal or psychological and free of gender-based discrimination.

Palsons Derma forbids sexual harassment as well as discrimination of an employee on the basis of color, religion, gender, age, ethnic or national origin, disability etc. Every employee has the right to work in an environment free from harassing, intimidating or offensive behavior and in which issues of harassment will be resolved without fear of reprisal. Sexual harassment is a violation of human rights and an infringement on life, liberty and security of persons as defined by Constitution of India.

The Supreme Court of India, in 1997, in the Vishaka Judgment, acknowledged sexual harassment at the workplace as a human rights violation under Articles 14, 15 and 21 of the Constitution of India, and amounts to violation of right to freedom as contemplated in Article 19(1)(g).

The court has laid down guidelines making it mandatory for organizations to provide a mechanism to redress grievances pertaining to workplace sexual harassment; Palsons Derma has implemented these guidelines, constituted committees and other redressal mechanism.

The Government of India has promulgated "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act," 2013 the Act)
In order to implement the various provisions of the Act and to ensure that the Company provides protection against Sexual Harassment Palsons Derma has created a policy known as " Prevention of Sexual Harassment at workplace" (POSH Policy)

2. OBJECTIVE

The objective of the policy is to provide protection against sexual harassment at the workplace and for this prevention and redressal of complaints of sexual harassment.

All individuals employed with Palsons Derma are required to exercise their power and authority to create and promote an environment that secures the employees of all genders these rights and ensures the safety and security of all employees working in the establishment.

3. SCOPE

The Palsons Derma POSH Policy covers every individual (whether employee or not) across the Organization and includes but not limited to regular, temporary, ad hoc employees, individuals engaged on daily wage basis, either directly or through an agent, contract labour, co-workers, probationers, trainees, and apprentices including individuals working in honorary, on deputation, retainership or in consultancy capacity whether working in its offices, manufacturing sites or branch offices located across India.

4. DEFINITIONS

i. "**Aggrieved Employees**" means in relation to a workplace, any individual, of any age whether employed in the Company or not, who alleges to have been subjected to any act of sexual harassment by another Employee of the Palsons Derma.

ii. **"Company"** means Palsons Derma.

iii. "**Employer**" means in any workplace, any person responsible for the management, supervision and control of the workplace.

iv. "**Sexual Harassment**" includes any unwelcome sexually determined behavior (direct or implied) such as physical contact and advances, unwelcome communications or invitation or request for sexual favor, sexually cultured remarks, showing pornography, creating a hostile work environment and any other unwelcome "sexually determined behavior" (physical, verbal or non-verbal conduct) of a sexual nature.

"Sexual Harassment" would also mean:

a) **QUID PRO QUO** sexual harassment which means something in return or an exchange of one thing for another:

   i. In the workplace, quid pro quo sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an Employee about his/her present or future employment status if he/she does not consent to such sexual advances or a favor also amounts to sexual harassment. The act of asking may either be verbal or implied and the "sexual conduct" may be verbal or physical. But, in either case, it must be unwelcoming.

   ii. For example: Direct or implied request or offers by any employee for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increase, promotion, increased benefits, or continued employment constitute sexual harassment.

b) **HOSTILE WORK ENVIRONMENT** includes

i. Hostile environment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient, or one or more Employees.

ii. Hostile environment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals

iii. It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his/ her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically and emotionally or someone close to or related to the aggrieved employee, to the extent the humiliation or intimidation affects the health or safety.

This is only an indicative list of the possible acts which could be defined as "sexual harassment" and procedure to address any compliant relating to it, the interpretation of "sexual harassment" & the investigation procedure shall be guided in accordance with the local laws/ regulations as applicable.

v. **"Workplace"** includes any department, organization, undertaking, establishment, enterprise, institution, and office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

Extended workplace also includes virtual workplace that is Work from Office WhatsApp group, Office digital platform for internal communication, productivity platforms, business communication platforms etc.

5. PREVENTIVE ACTION

The Company will take reasonable steps to ensure prevention of sexual harassment at work which may include circulating applicable policies and other relevant information to all Employees including to all new joiners. All new joiners and existing Employees of the organization are mandatorily required to participate in the trainings/ workshops on prevention of sexual harassment conducted/ organised by Palsons Derma time to time.

6. INTERNAL COMMITTEE

The Palsons Derma have an Internal Committee ("**IC**") constituted to specifically address any complaints of sexual harassment. The IC will be constituted by the Palsons Derma and would be headed by a Presiding Officer, who shall be a woman Employee at a senior level at workplace. In case the senior level officer is not available, Presiding Officer shall nominate the senior level officer from other locations.

The Internal Complaints Committee shall comprise of the following members:

a) Not less than two members shall amongst Employee preferably committed to the cause of women or who have had experience in social work or have a legal knowledge; and

b) One member from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment

c) Provided that, at least one-half of the total members so nominated shall be women. In addition to handling complaints of sexual harassment, the committees will also co-ordinate preventive activities to create a sexual harassment free atmosphere via:

   i. common information mailers
   ii. floating articles sexual harassment at workplace from time to time
   iii. display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Committee; and
   iv. organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the IC in the manner as may be prescribed

d) The Presiding Officer and every Member of the IC shall hold office for a period for three years or more as decided by employer, from the date of their nomination. Expel or removal of IC Members shall be on the following ground:

i. contravention of the policy or the legal provisions of the act; or
ii. 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/her; or
iii. has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
iv. has so abused his/her positions as to render his/her continuance in office prejudicial to the public interest or

7. PROCEDURE FOR DEALING WITH COMPLAINTS

7.1 FILING OF A COMPLAIN

a) If any Aggrieved Employee believes that she/ he has been subjected to sexual harassment, such Aggrieved Employee may file a written complaint with any member of the IC within three (3) months from the date of incident or in case of series of incidents, within a period of three (3) months from the date of last incident.

b) The IC for the reasons to be recorded in writing may extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the Aggrieved Employee from filing a complaint within the said period.

c) In case the complainant doesn't know to make a complaint in that case the Presiding Officer or any member of the IC, shall render all reasonable assistance to the Aggrieved Employee for making the complaint in writing.

d) The IC Committee may, before initiating an inquiry and at the request of the Aggrieved Employee take steps to settle the matter between the Aggrieved Employee and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

e) Where a settlement arrived, no further inquiry shall be conducted by the Committee, as case may be. The Committee shall provide the copies of the settlement as recorded to the Aggrieved Employee, respondent and the Company, for records.

f) In case the conciliation fails to arrive at a settlement or if the Aggrieved Employee informs the Committee that the terms and conditions of the settlement have not been complied with by the respondent, the Committee shall proceed to make an inquiry into the complaint filed before the Committee.

g) The complaint shall include the circumstances giving rise to the complaint like the dates and time of the alleged occurrences, and names of witnesses, supporting documents, evidence if any. The complaint shall need to be signed by the Aggrieved Employee.

h) If the complaint does not fit in sexual harassment at workplace category, the Committee may determine to dismiss the complaint without further investigation.

7.2 PROCESS OF INQUIRY

a) The Committee will ask the Aggrieved Employee to prepare a detailed statement of incidents/allegations. The Aggrieved Employee mandatorily is required to submit six (6) copies of the complaint along with supporting documents and the names and addresses of the witnesses(If any) . The statement of allegations will be shared with the respondent within seven (7) working days.

b) The respondent will be asked to prepare a response to the statement of allegations, along with the list of documents and names and addresses of the witnesses and submit to the IC within a period not exceeding ten (10) working days.

c) The statements and other evidence obtained in the inquiry process will be considered confidential.

d) The IC will organize verbal hearings with the complainant and the respondent, in accordance with the principle of natural justice.

e) During the course of inquiry, the IC shall make a copy of the findings available to both the parties enabling them to make representations against the findings before the IC.

f) The IC will take testimonies of other relevant persons and review the evidence wherever necessary. The IC should ensure that sufficient care is taken to avoid any retaliation against the witnesses.

g) During the inquiry process, the complainant and the respondent shall refrain from any form of threat, intimidation or influencing of witnesses.

h) The IC will conduct inquiry in accordance with the practices of natural justice.

i) The IC will arrive at a decision after carefully and fairly reviewing the circumstances, evidence and relevant statements.

j) The IC will ensure confidentiality during the inquiry process and will ensure that in the course of investigating a complaint the identities of the parties, witnesses, and all inquiry-related information are kept strictly confidential, except as required by law.

k) Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents.

l) Upon completion of the investigation, both parties will be informed of the results of the investigation.

m) The IC will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment. In this regard the IC will also have the discretion to make appropriate interim recommendations in relation to a respondent person (pending the outcome of a complaint) including suspension, transfer, leave, change of work location etc.

n) The IC shall have the right to terminate the inquiry proceedings or to give ex-parte decision on the complaint, if the Aggrieved Employee or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearing convened by the Presiding officer, provided fifteen (15) days advance notice is provided to the party concerned, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

o) The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

p) For the purpose of making an inquiry, the IC shall have the same powers as are vested in the civil court under Code of Civil Procedure, 1908.

q) The IC will investigate and prepare an enquiry report with recommendations within ninety (90) days.

r) The parties to the complaint shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.

s) In conducting the inquiry, a minimum of 50% of the IC members including the Presiding Offer, shall be present for the hearing or participate through audio calls in inquiry proceeding.

8. COMPLAINT OF SEXUAL HARASSMENT

a) Where the Aggrieved Employee is unable to make a complaint on account of his/her **physical incapacity**, a complaint may be filled by

i. His/her relative or a friend; or
ii. His/her co-worker; or
iii. any person who has knowledge of the incident, with the written consent of the Aggrieved Employee;
iv. where the Aggrieved Employee is unable to make a complaint on account of his/her **mental incapacity**, a complaint may be filled by:
    - his/her relative or friend; or
    - a special educator; or
    - a qualified psychiatrist or psychologist or
    - The guardian or authority under whose care he/she is receiving treatment or care; or
v. any person who has knowledge of the incident jointly with his/her relative or friend or a special educator or qualified psychiatrist or psychologist or guardian or authority under whose care he/she is receiving treatment or care;
vi. Where the Aggrieved Employee is dead, a complaint needs to be filed only by legal heir of the Aggrieved Employee.

9. DECISION AND ACTION

During the pendency of inquiry, on a written request made by the Aggrieved Employee, the IC, may recommend to the Company to –

(a) transfer the Aggrieved Employee or the respondent to any other workplace; or

(b) grant leave to the Aggrieved Employee; or

(c) grant such other relief to the Aggrieved Employee as may be prescribed in the Act.

The leave granted to the Aggrieved Employee under this section shall be in addition to the leave. This leave called as statutory leave.

Once the investigation is completed, the IC shall provide a report of its findings to the Company, within ten (10) days from the date of completion of the inquiry and such report shall be made available to the concerned parties. The Company shall act upon the recommendation of the IC with sixty (60) days of receipt of the report of the IC.

The disciplinary action will be carried out by the concerned department. Such disciplinary action may even include transfer, demotion or termination. All related documents will be maintained in the Employee's folder, ensuring confidentiality.

This policy shall not, however, be used to raise malicious complaints. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action which may include demotion, suspension or termination will be taken against the person raising the complaint.

10. DETERMINATION OF COMPENSATION

For the purpose of determining the sums to be paid to the Aggrieved Employee, the Committee shall have to regard the following:

i. the mental trauma, pain, suffering and emotional distress caused to the Aggrieved Employee.
ii. the 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. the income and financial status of the respondent needs to be considered before imposing any compensation and
v. feasibility of such payment in lump sum or in instalments option needs to be given to the respondent

11. 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 recommendation being communicated.

12. PROHIBITION OF PUBLICATION OR MAKING KNOWN CONTENT OF COMPLAINT OR INQUIRY

The contents of the complaint made under the policy, identity and addresses of the Aggrieved Employee, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the Company shall not be published, communicated or made known to the public, press and media in any manner:

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Aggrieved Employee, respondent and witnesses.

13. ROLES & RESPONSIBILITIES

13.1 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:

i. refusing to participate in any activity which constitutes harassment
ii. supporting the person to reject unwelcome behaviour
iii. acting as a witness if the person being harassed decides to lodge a complaint

Often, some behaviour is not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behaviour.

13.2 RESPONSIBILITIES OF MANAGERS

All managers at Palsons Derma companies 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.

14. CONSENSUAL SEXUAL RELATIONSHIPS AT WORKPLACE

Palsons Derma discourages any kind of romantic or sexual relationships amongst its employees as such relationships could lead to conflicts of interest at work. However, in the best interest of all concerned, if any of such relationships, particularly between a member of management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person); the involved parties should notify Management of the Company so that, the reporting chain can be altered to ensure that no direct or indirect reporting relationship continues.

15. TREATMENT OF FALSE COMPLAINTS/ ALLEGATIONS

Where the IC arrives at the conclusion that the allegation against the accused person is false or malicious or the aggrieved person has made the complaint knowing it to be false or the aggrieved person has produced forged or misleading documents / evidence, such behaviour will be construed as a major misconduct and will be liable for disciplinary action, including termination of services. 8

16. SEXUAL HARRASMENT AND CLIENT/PARTNERS

The Company encourages its clients/partners to have a commitment to a sexual harassment free working atmosphere within their Companies. The Company may play a facilitating role in redressal of complaints of sexual harassment in such circumstances.

17. PROTECTION AGAINST RETALIATION

Retaliation is a serious violation of this policy. The Company forbids any form of retaliation against anyone who has reported a suspected episode of harassment or has co-operated in any investigation involving a reported case. (Examples of retaliation may include – but are not limited to - threatening a negative action on terms of employment, unsubstantiated negative performance evaluation, continued harassment in any form, discriminatory treatment or failure to provide or consider individual concerned for a Company benefit or for a warranted role, title, training or promotion).

If anyone feels that he / she is experiencing retaliation of the nature of intimidation, pressure to withdraw the case or threats for reporting, testifying or otherwise participating in the proceedings, should report the matter to the IC Committee.

As with complaints of harassment, this too will be treated as misconduct and Palsons will take appropriate action to prevent / rectify the retaliation. It will be treated as seriously as an alleged case of harassment and will apply even if the original complaint is not proven. Similarly, bringing undue influence whether directly or indirectly, to the

proceedings of an Inquiry by either party will be treated as misconduct and be subjected to disciplinary action.

18. POLICY IMPLEMENTATION AND REVIEW

The policy will be implemented and reviewed by the HR department. The Company reserves the right to amend, abrogate, modify, rescind / reinstate the entire policy or any part of it at any time.

DETAILS OF INTERNAL COMMITTEE

Given below are the names, designations and contact details of the members of the IC Committee nominated by the Management.

Sr. No	Name	Designation	Email id	Contact Details
1	Anurita Chaturvedi	Presiding Officer	anurita.c@palsonsderma.com	7596005073
2	Sharmistha Chatterjee	Internal Member	sharmistha.c@palsonsderma.com	9230652206
3	Arpita Dey Lather	Internal Member	arpita.d@palsonsderma.com	9674907486
4	Kaushik Basu	Internal Member	kaushik.b@palsonsderma.com	9230652221
5	Swarup Chanda	Internal Member	swarup.c@palsonsderma.com	9831239387
6	Adv. Senjuti Sengupta	External Member	senjuti.s@rediffmail.com	90516 30525

Aggrieved associate can directly raise the POSH complaint on posh@palsonsderma.com