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| Name of the Policy | ANTI SEXUAL HARASSMENT POLICY |
| Policy Version | 3 |
| Date of Issue | 17/01/2024 |
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| Reference No. | AGEL Group/Corporate/ HR Policies |

1.0 Introduction:

This policy is aimed at preventing sexual harassment of employees at Workplace in various forms as sexual harassment results in the violation of the fundamental rights of an employee to "gender equality" besides the right under Article 15 of the Constitution of India (which deals with the prohibition of discrimination on grounds of religion, race, caste, creed, or sex) and "the right to life and liberty" under article 21 of the Constitution of India.

Keeping these rights in mind, Government has formulated **The Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Act")** to provide protection against sexual harassment of women at Workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental hereto. The **Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013** is the guideline for the creation of Anti Sexual Harassment Policy of the Company and is part of the Code of Conduct for all employees of the organization.

Apollo Green Energy Limited ("AGEL"/"Company") is an equal employment opportunity company and is committed of creating a healthy, safe and secure work environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company strongly believes in a work culture wherein all the employees have the right to be treated with dignity, fairness and respect. Sexual harassment at the Workplace or other than Workplace if involving employees is a grave offence and is, therefore, punishable.

2.0 Objective:

- 2.1** To promote a productive work environment by creating a culture of respect for every one irrespective of their gender, color, caste, location or any physical deformity.
- 2.2** To promote a culture that has zero-tolerance for any verbal or physical conduct of a sexual nature by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.
- 2.3** To comply with the directives of Hon'ble Supreme Court of India requiring all employers to develop and implement a policy for prevention of sexual harassment at the Workplace
- 2.4** To protect the fundamental right of employees of the company based at overseas locations, to gender equality and their right to life and live with dignity which includes a right to a safe environment free from sexual harassment.
- 2.5** To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence at the Workplace.
- 2.6** To follow and implement the Act enjoining all employers to constitute an "Internal Complaints Committee" and lay down guidelines for redressal of complaint related to sexual harassment of Women at the Workplace.

3.0 Scope:

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the Company for undertaking such visit.

Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as.

4.0 DEFINITION:

- 4.1 **"Aggrieved Person"** means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent;
- 4.2 **"Company"** means Apollo Green Energy Limited;
- 4.3 **"Employee"** means a person employed at a Workplace for any work on regular, temporary, ad hoc or daily wages 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;
- 4.4 **"Internal Complaints Committee"** means a committee constituted by Company as per this Policy;
- 4.5 **"Respondent"** means a person against whom the Aggrieved Person has made a complaint;
- 4.6 **"Sexual Harassment"** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
- Physical contact and advances; or
 - A demand or request for sexual favors; or
 - Making Sexually colored remarks; or
 - Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
 - Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

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

- implied or explicit promise of preferential treatment in their employment;
- implied or explicit threat of detrimental treatment in their employment;
- implied or explicit threat about their present or future employment status;

- interfering with their work or creating an intimidating or offensive or hostile work environment;
- Humiliating treatment likely to affect the health and safety of the Aggrieved Person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of an employee, will be considered as sexual harassment.

4.7 “Workplace” includes any department, organization, undertaking, establishment, enterprise institution, 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;

4.8 “Special educator” means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

4.9 Words and expressions used herein and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.

5.0 Constitution of Internal Complaints Committee :

Every complaint received shall be forwarded to Internal Complaints Committee formed under the policy for redressal. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose. Internal Complaints Committee has been constituted of the following members as nominated by the Company:

- a. A woman employee employed at a senior level amongst the employees at the Workplace shall act as Presiding officer of the committee.
- b. Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
- c. One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

The Name of the Members of the Internal Complaints Committee is as per **Annexure A** of this Policy and any change in such composition shall be effected in the policy

At least half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer

6.0 Responsibility of the Employee:

Any employee who believes that a supervisor's, manager's or other employee's actions or words constitute unwelcome harassment has a responsibility to report about the situation as soon as possible. The report or complaint should be made as per the process defined.

7.0 Complaint Procedure:

- 7.1** Any Aggrieved Person may make, in writing, a complaint of sexual harassment at Workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee and the reason for the same shall be recorded in writing.
- 7.2** The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
- 7.3** Internal Complaints Committee on receipt of such written complaint, may, if require ask the Aggrieved Person to furnish additional information about the alleged harassment.
- 7.4** Where the Aggrieved Person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-

- a relative or friend; or
- a co-worker; or
- an officer of the National Commission for Women or State Women's Commission; or
- Any person who has knowledge of the incident, with the written consent of the Aggrieved Person.

Where the Aggrieved Person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-

- a relative or friend; or
- a Special Educator or
- a qualified psychiatrist or psychologist; or
- the guardian or authority under whose care they are receiving treatment or care; or
- Any person who has knowledge of the incident jointly with any of the above.

Where the Aggrieved Person 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 their written consent.

Where the Aggrieved Person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

7.5 On receipt of complaint, the Internal Complaints Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints

7.6 The Complainant shall make a complaint to the Internal Complaints Committee (ICC) through following mode:

7.6.1 Six copies of complaint along with supporting documents and names and address of witness (if any) shall be sent to Internal Complaints Committee at:

Chairperson
Internal Complaints Committee (ICC)
Apollo Tower
Plot No. 20, Sector-44,
Gurgaon, Haryana – 122002.
E-Mail ID - posh@apolloindia.com

- 7.6.2** On receipt of such complaint, Internal Complaints Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days.
 - 7.6.3** Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses (if any).
 - 7.6.4** Internal Complaints Committee shall investigate in detail into the matter of the complaint. The Internal Complaints Committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.
 - 7.6.5** Internal Complaints Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause. Such ex-parte order shall be passed after giving a 15 days written notice to the party concerned.
 - 7.6.6** The Internal Committee must complete its investigation within a period 90 days.
 - 7.6.7** The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
 - 7.6.8** For conducting the enquiry the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.
- 7.7** The Internal Committee may before initiating an inquiry, and at the Aggrieved Person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
- 7.7.1** Monetary settlement will not be made as a basis of conciliation.
 - 7.7.2** Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.

Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.

7.8 The Internal Complaints Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:

7.8.1 Summoning and enforcing the attendance of any person and examining him under oath;

7.8.2 Requiring discovery and production of documents;

7.8.3 Any other prescribed matter.

7.9 During such enquiry, upon written request by the Aggrieved Person, the committee may at its discretion recommend:

7.9.1 To transfer the Aggrieved Person or the respondent to any other Workplace; or

7.9.2 Grant leave to the Aggrieved Person of up to three months which is in addition to leave to which she is otherwise entitled; or

7.9.3 To restrain the respondent from reporting on the work performance of the Aggrieved Person or writing her confidential report, and assign the same to another officer.

Provided, the Aggrieved Person has to tender justified reason for such transfer or leave, such as threat to work in the Workplace.

8.0 Redressal Process

8.1 The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.

8.2 If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.

8.3 If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:

8.3.1 Take action for sexual harassment as a misconduct.

8.3.2 To tender written apology to the complainant, issue warning, withholding of promotions / pay rise or increments of the Respondent, terminating the Respondent.

- 8.3.3** To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the Aggrieved Person or to their legal heirs, as it may determine.

For the purpose of determining the sums to be paid to the Aggrieved Person, the Internal Committee shall consider:

- The mental trauma, pain, suffering and emotional distress caused to the Aggrieved Person;
- The loss in career opportunities due to this particular incident;
- Medical expenses incurred by the victim for physical or psychiatric help;
- The income and financial status of the respondent;
- Feasibility of such payment in lump sum or in instalments.

Such action will be taken within 60 days of the receipt of report.

9.0 False Accusations:

- 9.1** The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
- 9.2** If the Internal Complaints Committee comes to a conclusion that the allegation was made with malicious intent or the Aggrieved Person or any other person making the complaint on behalf of the Aggrieved Person produced false or forged or misleading documents to prove his/her case, the Internal Complaints Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaints Committee concludes, that he/she has given false evidence or produced forged or misleading documents.
- 9.3** It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. We recognize and expect that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

10.0 Duties of Employer :

Every employer shall –

- 10.1** Provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace;
- 10.2** Display at any conspicuous place in the Workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Complaints Committee;
- 10.3** Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs for the members of the Internal Complaints Committee in the manner as may be prescribed;
- 10.4** Provide necessary facilities to the Internal Complaints Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- 10.5** Assist in securing the attendance of respondents and witnesses before the Internal Complaints Committee;
- 10.6** Make available such information to the Internal Complaints Committee, as it may require having regard to the complaint;
- 10.7** Provide assistance to the women if she so chooses to file a complaint in relation to the offence under Indian Penal Code (45 of 1860) or any other law for the time being in force;
- 10.8** Cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the Workplace at which the incident of sexual harassment at Workplace;
- 10.9** Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- 10.10** Monitor the timely submission of reports by the Internal Complaints Committee.

11.0 Confidentiality:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

12.0 Access to reports and documents:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

13.0 Protection to Complainant / Victim:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

14.0 Miscellaneous:

14.1 Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.

14.2 Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

14.3 The Internal Complaints Committee shall in each calendar year prepare an annual report with the following details and shall submit the same to the Employer and the District Officer:

- i. Number of complaints of sexual harassment received during the year;
- ii. Number of complaints disposed of during the year;
- iii. Number of cases pending for more than 90 days;
- iv. Number of workshops or awareness program against sexual harassment carried out;
- v. Nature of action taken by the employer.

15.0 Effective Date:

This policy comes into effect immediately.



Anirudha Tikhe
CHRO

17th January, 2024

As part of our commitment to maintaining a safe and respectful working environment, our organization established the POSH Committee to address and prevent incidents of sexual harassment. This committee is essential in ensuring that all employees, regardless of their gender, are treated with dignity and respect.

The tenure of the members (members as mentioned herein shall also be deemed to include the Chairperson) appointed on the relevant Committee will be for a period of three years.

| S. No | Name | Designation |
|-------|---------------------|--------------------------------|
| 1 | Ms. Suman Lata | Chairperson/ Presiding Officer |
| 2 | Mr. Sanjay Gupta | Member |
| 3 | Ms. Anu Kohli | Member |
| 4 | Ms. Neha Sharma | Member |
| 5 | Ms. Surabhi Dhingra | External Member – POSHCA (NGO) |

If you have any questions, concerns, or if you need to report any incidents of sexual harassment or seek guidance on this matter, please do not hesitate to contact any of the committee members mentioned above or the external member.

Our organization is dedicated to fostering a workplace that is safe and free from any form of harassment. We thank you for your continued support and cooperation in this endeavor.

For Apollo Green Energy Limited

Anirudha Tikhe

CHRO

Apollo Green Energy Limited

(formerly known as Apollo International Limited)

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