



Anti-Sexual Harassment Policy

PREAMBLE:

M/s Tulip Infratech Private Limited (hereinafter referred to as the “**Tulip/Company**”) is committed to lawful and ethical conduct of business. Honesty, compassion, veracity, reverence for its employees is entrenched as core principles and values of the Tulip.

The Company is an equal employment opportunity Company and is committed to creating a healthy working environment. The Company does not discriminate its employees on the grounds of gender, race, caste, religion etc. and promotes a work environment that encourages mutual respect, courteous and congenial relationships. The Company believes in providing a non-hostile safe working environment without fear of prejudice, gender bias and in a harassment free workplace to all its employees.

The Company has zero tolerance for sexual harassment and believes that all employees of the Company have the right to be treated with dignity and protected against harassment. The Company holds the responsibility to identify, prevent and to redress the complaints of sexual harassment and to develop a culture of dignity and respect in the day-to-day conduct of its business. The Company will respond promptly to reports of sexual harassment and will take appropriate steps to discipline behavior that violates this and, if necessary, facilitate legal action.

Thus, this policy is meant to educate or aware the employees about what conduct constitutes sexual harassment, consequences of such conduct and the ways and means to redress the same. TULIP provides protection against occurrence of any such event and a fair mechanism for dealing with such conduct. At Tulip, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders.

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder.

This version of the policy is effective from 1st April 2022 and supersedes all prior policies on this matter.

OBJECTIVE& SCOPE:

The purpose of this policy is to foster a respectful workplace through the prevention and prompt resolution of harassment and make TULIP a workplace which figures as a satisfactory place for Employees to have their genuine concerns being looked into by the management via the Internal Complaint Committee formed for this purpose.

We at Tulip are committed towards giving every employee a just and fair hearing on issues encountered by them at the workplace with special attention to sexual harassment. Tulip will take very serious disciplinary action against any victimization of the employee who is complaining or the alleged harasser that may result from a complaint.

This policy applies to all employees of all departments/ divisions and business verticals of Tulip and its subsidiary at their workplace or at sites.

1. DEFINITIONS:

Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

1. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - a) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit
 - b) Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
 - c) Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one’s will.
 - d) Demand or request for sexual favors.
 - e) Sexually colored remarks or remarks of a sexual nature about a person's clothing or body.
 - f) Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas.
 - g) Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
 - h) Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person’s wishes.
 - i) Giving gifts or leaving objects that are sexually suggestive.
 - j) Entry into specific areas earmarked for female employees and students with the intent to commit mischief and harassment.
 - k) Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy; Persistent watching, following, contacting of a person and
 - l) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
2. Act or conduct by a person in authority which creates a hostile environment at the workplace or intimidates the person belonging to the other sex.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy.

Workplace: In addition to the place of work [Head office / Branch offices, Sites] it shall also include any place where the aggrieved Person or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with TULIP, including transportation provided for undertaking such a journey.

Complaint: Information either oral or written made by the victim against sexual harassment attempted or perpetuated.

Complainant: The person reporting on incident of Sexual Harassment.

Victim: The person subjected to Sexual Harassment.



Alleged Harasser: the person who is alleged or reported to have committed an act of Sexual Harassment.

Employee: A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, 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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.

Day: Means normal working days of 9 hours, excluding weekly off and national holidays.

Victimization: "Victimization" shall be understood to mean any adverse action by an individual, group of individuals or organization against individuals because they have, in good faith, reported instances of sexual harassment. Participated in or been witnesses to proceedings to redress on alleged instance of sexual Harassment.

Internal Complaints Committee means a committee constituted by the Company as per this Policy.

2. TYPES OF SEXUAL HARASSMENT

Sexual harassment at workplace can be classified into two categories:-

1. Quid pro quo(meaning this for that)
2. Creation of a hostile working environment

Under the quid pro quo form of harassment, a person or authority, usually the superior of the victim, demands sexual favors for getting or keeping a job benefit and threatens to fire the employee if the conditions are not met.

A hostile work environment arises when a co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with a co-worker's job performance or creates a workplace atmosphere which is intimidating, hostile, offensive or humiliating and an attack on personal dignity. Sexual harassment and abuse damage both, individual and Organizational Health.

3. WHO IS COVERED UNDER THE ANTI- SEXUAL HARASSMENT POLICY?

Anti-Sexual harassment at workplace is applicable to:-

- Every employee across the Company - permanent, temporary, on training and contract:
- An alleged act of sexual harassment that has occurred during or beyond office hours,
- An alleged act of sexual harassment, which has taken place within or outside the company premises
- All the employees, workers and trainees (whether in the office premises or outside while on assignment).

Where sexual harassment occurs to a TULIP's employee as a result of an act by a third party or outsider while on official duty, TULIP will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

This policy is only applicable when either or both the alleged harasser and the victim are employees/agents of the company. It is not applicable when both the alleged harasser and the victim are third parties,



The definition of sexual harassment shall include any harassment caused to female or male employees. It would also include harassment caused to or by either gender.

4. REDRESSAL MECHANISM

Any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

- a) Head of Department
- b) Internal Complaints Committee (Henceforth known as 'committee')

Internal Complaints Committee

In accordance with the Supreme Court Guidelines in Vishakha v/s state of Rajasthan W.P., and in adherence to the Sexual harassment of women at workplace (Prevention, Prohibition & Redressal) Act, 2013 along with the core commitment to the Constitution, of protecting and nurturing the dignity of the individuals, the Company has formed an Internal Complaints Committee which will manage the process of inquiry and redressal of sexual harassment complaints for all administrative units / offices of the company. The committee comprises of:

- Presiding Officer: A woman employed at a senior level in the organization or workplace.
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge.
- One external member, familiar with the issues relating to sexual harassment

At least one half of the total members shall be women.

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace,
- Initiating and conducting inquiry as per the established procedure,
- Submitting findings and recommendations of inquiries,
- Coordinating with the employer in implementing appropriate action,
- Maintaining strict confidentiality throughout the process as per established guidelines,
- Submitting annual reports in the prescribed format.

Current nominated members of the committees are given in ***Annexure A***.

5. WHAT STEPS CAN EMPLOYEES TAKE TO AVOID SEXUAL HARASSMENT?

- Dealing with the harasser upfront
- Do not pretend it did not happen
- Immediately inform the alleged harasser that the behavior is unwelcome
- Demand that the harassment be stopped
- Reinforce your statements with a firm tone and professional body language.

Other Steps

- Trust your own instincts about possible danger.

- Discuss it with a close friend or confidant.
- Report sexual harassment to the company's Harassment Redressal Committee.
- Be professional at all times.
- Do not feel compelled to accept behavior that makes you uncomfortable, even if others are willing to tolerate it.
- Be supportive of people who wish to talk about their being sexually harassed & direct them to the appropriate persons/authorities.

6. COMPLAINT OF SEXUAL HARASSMENT

i. Raising of complaint.

If you are being harassed:-

Know your rights:- Sexual harassment is illegal both the law of the land and the TULIP Code of Conduct for its employees prohibits Sexual Harassment.

Talk to the Harasser:- Tell the accused that his/her behavior is unwelcome and ask him/her to stop. State clearly and firmly that you want a particular behavior to cease. If employees communicate by letter or memo, they must keep a copy, Name the behavior. Whatever he's just done, say it, and be specific. Hold the Harasser accountable for his actions. Don't make excuses for him don't pretend it didn't really happen, Take charge of the encounter anti let people know what he did. Privacy protects harassers, but visibility undermines them.

If, after asking the accused to stop his / her behavior the harassment continues, report the abuse in writing to the Head of Department and then to Committee formed for this purpose, if complaints do not resolve by management.

All complains of sexual harassment shall be lodged at the earliest point of time and within 15 days from the occurrence or the alleged incident.

However, the Committee may, for reasons to be recorded in writing, extend such time limit of filing complaint up to further 30 days, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned above. The complaint should clearly mention name and available details of both the aggrieved person and the respondent.

Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, as more fully described under Rule 6 of the Rules, may make a complaint.

ii. Receiving a Complaint (guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint:

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.

- Situations are not be pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainants' own words, where possible, are to be used accurately. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity.

Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

iii. **Resolution procedure through conciliation**

Once the complaint is received, before initiating the inquiry, the management may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved Individual.

No monetary settlement can be made as a basis of conciliation.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.

The committee shall provide copies of the settlement to complainant & respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.

iv. **Resolution procedure through formal inquiry**

The committee will initiate inquiry in the following cases:

- No conciliation is requested by aggrieved Individual
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

Manner and Procedure of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any.
- The Committee will hold a meeting with the Complainant within seven days of receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her/his complaint.
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint.
- Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.



- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice.
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present.
- The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- In the event, the 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 recording the reasons thereof.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

v. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved Individual of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the same is informed to the committee.

vi. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 2 consecutive hearings, without sufficient reason. 15 day written notice is to be given to the party, before termination of enquiry or ex-parte order.

vii. Action to be taken after inquiry

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

a. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the Company.

b. Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counseling
- ii. reprimand
- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the employer may deem fit.

The Company is required to act upon the recommendations within 60 days and confirm to the committee. Post implementation of the actions, follow up with the complainant should also occur to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring.

7. PENAL CONSEQUENCES OF SEXUAL HARASSMENT

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the employer, for making a Police Complaint. Under the Indian Penal Code, (IPC), the newly introduced Section (S. 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested without a warrant.

8. MALICIOUS ALLEGATIONS

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved individual has made the complaint knowing it to be false or the aggrieved individual has produced any forged or misleading document, it may recommend to the employer to take action against the person making the complaint.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not



mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

9. CONFIDENTIALITY

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

10. 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, within 90 days of the recommendations being communicated.

11. LEGAL COMPLIANCE

The Committee shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer and the District Officer (as defined in the Act). The report shall have the following details:

- number of complaints of Sexual harassment received in the year
- number of complaints disposed of during the year
- number of cases pending for more than 90 days
- number of workshops or awareness program against Sexual Harassment carried out
- nature of action taken by the employer or District Officer

12. GENERAL POINTERS FOR EMPLOYEES OF TULIP INFRATECH PVT. LTD.

- Employees of TULIP should abstain from committing any acts which amount to sexual harassment at the workplace and are encouraged to report incidents of sexual harassment without fear or favor.
- Head of departments, Managers, Supervisors are required to create appropriate working conditions in respect of work, leisure, health and ensure there is no hostile environment in the work place.
- Head of departments, Managers, Supervisors are required to report any complaint or grievance immediately to the Committee.
- Make sure we extend support to any person who we suspect is being sexually harassed;
- It is both the duty and obligation of the HR department to provide necessary communication and training across the company, with respect to the anti-sexual harassment policy.
- Human Resource shall ensure this policy is communicated, explained and handed over at the time of induction of every employee.
- Human resource in consultation with Internal Complaints Committee, clarifies to employees on any queries related to this policy wherever required.

- Human Resource shall ensure implementation of this policy in line with overall Anti-Sexual Harassment Committee guidelines and directions. Human resources shall provide appropriate training to employees on gender sensitivity and ensure that this policy and code is communicated, explained and handed over at the time of induction of every employee.
- Management and supervisory personnel must be sensitive to acts of conduct which may be considered offensive by fellow personnel and must refrain from engaging in such conduct.
- It is the duty of the Committee, head of departments, Managers, Supervisors and Human Resource Department, to ensure that there is no retaliation or retribution happening against the victim, witnesses or accused at the workplace, where the supposed action is to have taken place.

13. REVISION AND TERM OF THE CODE AND POLICY:

This Code shall be reviewed at least once in 03 years. The Company reserves the rights to amend, abrogate, modify, rescind, reinstate the entire Policy or any part of it at any time.

Annexure-A

Internal Complaints Committee at Head Office Tulip Infratech Private Limited

s.no.	Name of Member	Designation	Email id
1	Ritu Gahlot	Presiding Officer	cs@tulipinfratech.com
2	Priya Sharma	Member	hr@tulipinfratech.com
3	Rinky Gupta	Member	rinky@tulipinfratech.com
4	M.N Ajaya Kumar	Member	akumar@tulipinfratech.com
5	Advocate R L Sharma	External Member	rlsharmaadvocate@gmail.com