



# DUCON INFRA TECHNOLOGIES LIMITED

[ BSE: 534674, NSE: DUCON ]

Ducon House A/4, MIDC, Wagle Industrial Estate, Road No.1, Thane (W) - 400 604. India

Tel.: 022 41122114 (30 lines) • Fax 022 41122115 • URL: www.duconinfra.co.in

CIN: L72900MH2009PLC191412

CONSISTENCY IN PERFORMANCE

## ANTI SEXUAL HARASSMENT POLICY

### DETAILS OF DUCON ANTI SEXUAL HARASSMENT COMMITTEE MEMBER:-

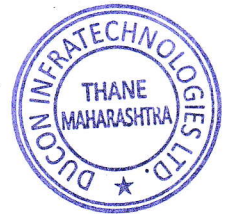
- 1- Mrs. Lolakshi Shetty, Presiding Officer:- lshetty@duconinfra.co.in
- 2- Mrs. Debika Chatterjee – Member:- debikac@duconinfra.co.in
- 3- Mrs. Sheetal Patil, Member:- sheetal@duconinfra.co.in
- 4- Ms. Poonam Ahuja, Member:- legal@duconinfra.co.in
- 5- Adv. Ashraf Ahmed Shaikh- External Member:- ashrafahmedshaikh@gmail.com

**To register concerns, grievances and complaints please email at: -  
ICC@duconinfra.co.in**

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18/6/23  
कामगार उच्च आधुनिक, बंगले  
सांचे कार्यालय

ऑफिस वॉलन्टेयर्स विंग, बंगला मजला,  
गोपल अग्रवाल हॉटेलच्यावर, कुर्तुब घेऊनका  
बागळे इस्टेट, जजे - ४०० ६०४

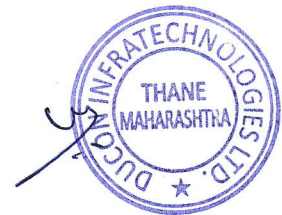


DUCON ANTI SEXUAL HARASSMENT POLICY - COMPANY CONFIDENTIAL



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## **OBJECTIVE**

DUCON Infratechnologies Ltd. (hereinafter referred to as “**DUCON**”) is committed to lawful and ethical conduct of business.

DUCON is an equal employment opportunity provider. Ducon does not discriminate its employees on the grounds of gender, promotes a work environment that encourages mutual respect, courteous and congenial relationships. DUCON believes in providing a non-hostile safe working environment without fear of prejudice, gender bias and sexual harassment to all its employees.

All employees of Ducon have the right to be treated with dignity and every employee has the right to be protected against sexual harassment. DUCON holds the responsibility to identify and prevent sexual harassment and to develop a culture of dignity and respect in the day-to-day conduct of its business and will respond promptly to reports of sexual harassment and will take appropriate steps to discipline behaviour that violates this and, if necessary, facilitate legal action.

This policy is meant to educate the employees about what conduct constitutes sexual harassment, the ways and means DUCON adopt to prevent occurrence of any such event, and in the event of such an occurrence, to enable a fair mechanism for dealing with such conduct.

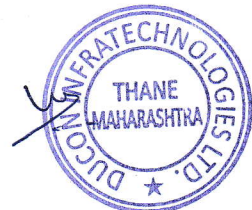
## **EFFECTIVE DATE**

This revised policy will be in force from 5<sup>th</sup> June, 2023.

## **DEFINITIONS**

### **“Aggrieved woman”**

- (i) In relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;





- (ii) in relation to dwelling place or house, a woman of any age who is employed in such a dwelling place or house;

**“Appropriate Government”** means –

- I. In relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly
  - a) The Central Government or the Union Territory Administration, the Central Government;
  - b) By the State Government, the State Government
- II. In relation to any workplace not covered under sub clause (I) and falling within its territory, the State Government;

**“District Officer”** means an Officer notified by the Appropriate Government as a District Magistrate or Additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to exercise power or discharge functions under The Sexual Harassment of Women at Workplace (prevention, Prohibition and Redressal) Act 2013.

**“Chairperson”** means the Chairperson of the Local Complaint Committee nominated under sub section (I) of Section 7 from amongst the eminent women in the field of social work and committed to the cause of women.

**“Internal Committee”** means every employer of a workplace shall by an order in writing, constitutes a Committee to be known as the “Internal Complaint Committee.

**“Local Committee”** means every District Officer shall constitute in the district concerned, a committee to be known as the Local Complaints Committee to receive complaints of sexual harassment from the establishments where the Internal Complaints Committee has not been constituted due to having less than ten workers or if the complaint is against the employer himself.

**“Member”** means a member of the Internal Committee or the Local Committee as the case may be.

**“Presiding Officer”** means the Presiding Officer of the Internal Complaints nominated under sub section (2) of section 4 shall be a woman employed at a senior level at workplace from amongst the employee:





Provided that in case a senior level women employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub section (1)

Provided further that in case the other offices or administrative units of the workplace do not have a senior level women employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department of organisation

**“Employee”** Means a person employed at a workplace for any work on regular, temporary, adhoc or daily wage 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.

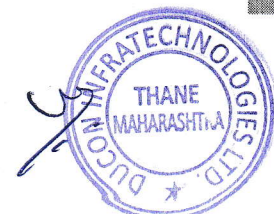
**“Employer”** means

- (i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
- (ii) in any workplace not covered under sub -clause (i), any person responsible for the management, supervision and control of the workplace;
- (iii) in relation to workplace covered under sub - clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
- (iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker.

**“Respondent”** means a person against whom the Aggrieved Women has made a Compliant.

**“Workplace”** means

- (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a cooperative society;





- (ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non- governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
- (iii) hospitals or nursing homes;
- (iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
- (v) any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey;
- (vi) a dwelling place or a house;

## **SCOPE OF THE POLICY**

The Scope of this Policy is restricted to the following for all the Employees:

- i. business locations of the Ducon.
- ii. any external location visited by employees due to or during the course of their employment with the Ducon such as business locations of other Companies/entities, guest houses etc.
- iii. any mode of transport provided by the Ducon (or a representative of the Ducon) for undertaking a journey to and from the aforementioned locations.

## **APPLICABILITY OF THE POLICY**

This policy will extend to all Employees of the Ducon including those employed on contractual basis. The policy also extends to those who are not Employees of the Ducon, such as customers, visitors etc., but are subjected to sexual harassment at the Premises (defined hereinafter) of the Ducon. Anti-Sexual harassment at workplace is applicable to:-

- Every employee across the Ducon – permanent, temporary, on training and on 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 Ducon premises while on office assignment.
- All the employees, workers and trainees (whether in the office premises or outside while on assignment).





Where sexual harassment occurs to any employee of the Ducon as a result of an act by a third party or outsider while on official duty, Ducon will take all necessary and reasonable steps to assist the affected person in terms of support, redress and preventive action. In case of sexual harassment of any employee in the Ducon or while on office duty by any person not employed by the Ducon, the HR Department shall take all steps necessary and reasonable to assist the affected employee in terms of providing her/him with psychological, emotional and physical support and enabling her/him to take recourse to the law.

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

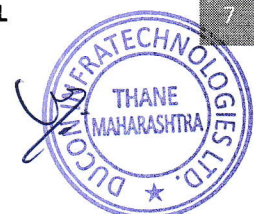
## **WHAT IS SEXUAL HARASSMENT?**

Sexual harassment would mean and include the following, jointly or severally:-

- a) Any unwelcome behavior with sexual undertones which has been directed against a person either directly or indirectly.

The unwelcome behavior could be in the form of:-

- Physical contact and advances; or
  - Demand or request for sexual favors; or
  - Sexually colored remarks; or
  - Showing pornography; or
  - Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- b) Any unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any Ducon activity;
  - c) The following circumstances, among other circumstances, if it occurs or is present ***in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:-***
    - implied or explicit promise of preferential treatment in her/his employment; or
    - implied or explicit threat of detrimental treatment in her/her employment; or
    - implied or explicit threat about her/ his present or future employment status;
    - humiliating treatment likely to affect her/his health or safety.





**ANTI – SEXUAL HARASSMENT COMMITTEE**

In accordance with the **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** and in line with **Supreme Court Guidelines in Vishakha v. State of Rajasthan W.P.**, and in furtherance to the core commitment to the Constitution, of protecting and nurturing the dignity of the individuals, Ducon has formed an Anti-Sexual Harassment Committee consisting of Core Complaints Committee which will manage the process of enquiry and redressal of sexual harassment complaints.

**COMPOSITION OF DUCON ANTI SEXUAL HARASSMENT COMMITTEE:-**

- 1- Mrs. Lolakshi Shetty, Presiding Officer:- lshetty@duconinfra.co.in
- 2- Mrs. Debika Chatterjee – Member:- debikac@duconinfra.co.in
- 3- Mrs. Sheetal Patil, Member:- sheetal@duconinfra.co.in
- 4- Ms. Poonam Ahuja, Member:- legal@duconinfra.co.in
- 5- Adv. Ashraf Ahmed Shaikh - External Member:- ashrafahmedshaikh@gmail.com

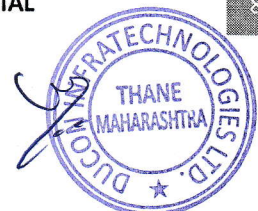
The Member appointed as the External Member shall be paid such fees or allowances for holding the proceedings.

The quorum for the purpose of meeting/hearing shall be 2/3rd of the members of the Complaints Committee. However, this shall not be a pre-requisite for the quorum of an adjourned meeting.

Changes in the constitution of the Complaints Committee, whenever necessary, shall be made as expeditiously as possible and in any case within 15 days of the date of vacancy of office by one of the members.

**ROLE OF THE COMMITTEE:**

- Review the complainant's complaint in a fair and objective manner.
- Help the complainant and the accused find a way of solving the problem.
- Determine the facts of the case with the individuals concerned and the witnesses, if any, and prepare a report with the findings.
- Be bound in the principle of natural justice and be unbiased in their evaluation.







**PROCEDURE FOR DEALING WITH COMPLAINTS**

**FILING OF A COMPLAINT**

The committee shall have a permanent email id, for employees to register their grievances, complaints or concerns online via email. The employee may also email the complaint to the Anti-Sexual Harassment Committee on ICC@duconinfra.co.in

The committee member on receiving a complaint will intimate the committee head. The committee head would arrange for a meeting within one week of receipt of the complaint for discussing the complaint raised.

Complaints must be brought within 3 months of the incident of Sexual Harassment and in case of a series of incidents, within a period of 3 months from the date of last incident.

Complaints brought after that time period of 3 months may be considered by the Internal Compliant Committee or Local Complaints Committee as the case may be, for the reason to be recorded in writing, extended the time limit, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

Every attempt will be made to get the Complainant to provide the complaint in writing. The complaint shall include the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complaint shall be signed by the Complainant.

Where the aggrieved Employees is unable to make a complaint on account of her/his physical or mental incapacity or death or otherwise, her/his legal heir or such other person as may be prescribed may make a complaint within 3 months of the incident.

Complaints made anonymously or by a third party must also be investigated to the extent possible.

If the complaint does not rise to the level of sexual harassment, the Committee may determine to dismiss the complaint without further investigation after consultation with Legal Team.





### **CONCILIATION**

The Internal Committee or the Local Committee, as the case may be, before initiating an inquiry, at the request of the complainant should take steps to settle the matter between the complainant and the accused through conciliation provided that no monetary settlement shall be made as a basis of conciliation.

Where a settlement has been arrived the Internal Committee or the Local Committee, as the case may be, shall record the settlement so arrived and forward the same to the Head HR - Frameworks to take action as specified in the recommendation.

The Internal Committee or the Local Committee, as the case may be, shall provide the copies of the settlement as recorded to the complainant and the accused.

Where a settlement is arrived no further inquiry shall be conducted by the Committee.

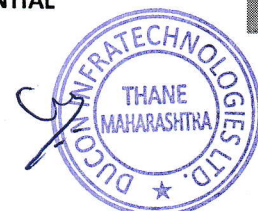
### **INQUIRY INTO COMPLAINT**

Provided that where the aggrieved woman informs the Internal Committee or the Local Committee, as the case may be,, that any term or condition of the settlement arrived has not been complied with by the respondent, the Committee shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police. Provided further that where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Internal Committee or the Local Committee, as the case may be.

For the purpose of making an inquiry the Internal Committee or the Local Committee, as the case may be, shall have the same powers as are vested in a civil court the Code of Civil Procedure, 1908 (5 of 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; and
- (c) Any other matter which may be prescribed.

The inquiry shall be completed within a period of ninety days.





## **ACTION DURING PENDENCY OF INQUIRY**

1. During the pendency of an inquiry on a written request made by the aggrieved woman, the Internal Committee or the local Committee, as the case may be, may recommend to the employer to:-
  - transfer the aggrieved woman or the respondent to any other workplace; or
  - grant leave to the aggrieved woman up to a period of three months; or
  - grant such other relief to the aggrieved woman as may be prescribed.
2. The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.
3. On the recommendation of the Internal Committee or the Local Committee, as the case may be, the employer shall implement the recommendations and send the report of such implementation to the Internal Committee or the Local Committee, as the case may be.

## **INQUIRY REPORT**

On the completion of an inquiry under this Act, the Internal Committee or the Local Committee, as the case may be, shall provide a report of its findings to the employer, or as the case may be, the District Officer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

The Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer and the District Officer that no action is required to be taken in the matter.

The Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be —to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed.

## **PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE.**

The Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it



to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer or the District Officer, as the case may be, to take action against the woman or the person who has made the complaint, as the case may be, in accordance with the provisions of the service rules, in such manner as may be prescribed.

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness or the District Officer, as the case may be, to take action in accordance and in such manner as may be prescribed.

## **COMMITTEE TO SUBMIT ANNUAL REPORT**

(1) The Internal Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.

(2) The District Officer shall forward a brief report on the annual reports received to the State Government.

## **EMPLOYER TO INCLUDE INFORMATION IN ANNUAL REPORT**

The employer shall include in its report the number of cases filed, if any, and their disposal under this Act in the annual report of his organization or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.

## **POLICY IMPLEMENTATION AND REVIEW**

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

The Complaints Committee shall meet once a quarter, even if there is no live case, and review preparedness to fulfill all requirements of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Vishakha judgment.





The minutes of every meeting shall be recorded in the Minutes Register maintained for the purpose.

**FOR DUCON INFRA TECHNOLOGIES LTD**

**HARISH SHETTY**  
**DIRECTOR**  
**DIN - 07144684**

