



## M.K. EXIM (INDIA) LIMITED

CIN: L63040RJ1992PLC007111

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### **MKEIL POLICY FOR PREVENTION OF SEXUAL HARASSMENT (MKEIL POSH)**

#### **1. PURPOSE:**

To create and maintain safe work environment, free from sexual harassment & discrimination for all its employees. Establish guidelines as per the guidelines of "The Sexual harassment of women at workplace (prevention, prohibition & redressal) Act, 2013.

#### **2. OBJECT:**

Company is committed to provide work environment that ensures every employee is treated with dignity and respect. The objective of this policy is 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. The policy of the company is zero tolerance policy in case of sexual harassment at workplace

#### **3. SCOPE:**

This policy shall be applicable to all the categories of employees of the Company. It includes permanent management and workmen, temporary appointees, trainees and employees on contract at its workplace or at client sites. It shall also include any unwelcome behavior of a sexual nature mentioned in the policy by any employees, customers, consultants, visitors, vendors, contractors, any person associated with the company or other non-employees during the course of a business relationship, to any of our employees

#### **4. DEFINITION:**

**"Company"** means M.K. EXIM (INDIA) LIMITED

**"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

**“Sexual Harassment”** Harassment of a Female/Male employee consisting of any unwelcome sexually determined behavior, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behavior which is generally considered to be derogatory .

**“Aggrieved Women”** means in relation to 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.

**“Respondent”** means a person against whom the aggrieved woman has made a complaint.

**“Employer”** 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.

**“Workplace” means:**

1. All offices or other premises where the Company's business is conducted.
2. All company related activities performed at any other place away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

## **5. POLICY GUIDELINES:**

Sexual Harassment shall include but not limit to: -

- Physical Contact & Sexual advances
- Demand or request for sexual favors;
- Sexually- colored remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

## **6. GRIEVANCE MECHANISM: PROCEDURE TO REGISTER COMPLAINTS:**

A complaint shall be submitted through email to mkexim@gmail.com or can be discussed during the meeting with any member of the Internal Complaints Committee mentioned herein within 3 months of occurrence of an act of Sexual Harassment. If the respondent is direct supervisor of the complainant, or person influencing the career growth of the complainant, the reporting structure will be changed till the time the enquiry is completed.

## **7. INTERNAL COMPLAINT COMMITTEE:**

- a. Each complaint of Sexual Harassment shall be dealt with utmost confidentiality and urgency by an Internal Complaints Committee consisting of:
  - Presiding Officer - 1 member
  - Internal Member - 3 members
  - External Member - 1 member (NGO / Legal expert)

Provided that at least one half of the total Members so nominated shall be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination.

- b. Within 3 working days, the internal committee shall commence Official Internal Enquiry by:
  - By informing the said complaint to the respondent
  - By instructing to stop the alleged act of Sexual Harassment immediately
  - By informing not to reach out to the complainant directly or indirectly
  - BY asking an immediate explanation from him/her to the same BY asking an immediate explanation from him/her to the same
- c. Within 5 working days from the receipt of original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by MKEIL in order to stop the alleged act(s).
- d. Within 15 days from receipt of the complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counseling sessions with persons involved in alleged act(s)
- e. A complaint will be closed no later than one month from receipt of complaint by recording the decisions of the internal committee, accordingly informing to the complainant and the Respondent of the same.

- f. Employees are duty bound to assist in investigative steps, employees' wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.
- g. Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of internal committee, she or he may appeal specifying the reasons in writing to Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of Managing Director shall be final and cannot be appealed.

#### **8. REDRESSAL:**

- a. An amicable resolution of the complaint is possible only with the written consent of the complainant.
- b. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Managing Director.
- c. In case of decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc. and the impact of the offence on the company profile as a whole.
- d. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.
- e. The disciplinary action that shall be commensurate with the nature of the gravity of the offence, shall include but not limited to,
  - Warning
  - Written apology from offender,
  - Bond of good behavior
  - Transfer
  - Debarring from supervisory duties
  - Denial of employee benefits like increments/promotion/salary correction etc.
  - Cancellation of specific work Assignment
  - Suspension
  - Dismissal Annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.

**9. APPEAL TO THE COURT:**

Any person, who is aggrieved from the recommendations made, may prefer an appeal to the Court or Tribunal. This appeal shall be made within a period 90 days from the date of the recommendation.

**10. MONITORING AND REVIEW:**

This Policy and Procedure will be reviewed whenever required from the date of implementation. Reviews will be initiated by the company. Where changes in employment legislation occur that directly affect this Policy, these will be reflected with immediate effect and communicated.

**For M.K. Exim (India) Limited**

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**MANISH MURLIDHAR DIALANI**

Managing Director