

POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT OF MEN AND WOMEN AT WORKPLACE



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**POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT OF WOMEN AT
WORKPLACE**

1. INTRODUCTION

Krsnaa Diagnostics Limited (“Company”) quest for competitive excellence consists of our commitment to lawful and ethical conduct and adhering to the Company’s values, Integrity, honesty and respect for people remain some of our core values.

The Company is committed to provide a safe and conducive work environment to its employees and expects them to combine “Expertise with responsibility”. Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realize that his/her behavior will be attributed to the Company and can affect its inward and outward reputation.

Under the corporate compliance, harassment of any kind including sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his or her own behavior to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment.

The Company is committed to provide a work environment free of sexual harassment. Sexual harassment is a form of workplace harassment of a sexual nature that affects the dignity of men and women at work. and sexual harassment shall constitute “Misconduct” in terms of the Company's rules, regulations, relevant policies.

2. PURPOSE

The Company’s Sexual Harassment Policy (“Policy”) has been formed to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment and to comply the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Rules 2013 (hereinafter collectively referred to as “Act”).

3. APPLICABILITY

This policy is applicable to all permanent employees, contract workers, probationers, temporary employees, trainees, apprentices of the Company and any person visiting the Company and any centre of the Company.

4. RESPONSIBILITY

It shall be the duty and responsibility of the General Manager Human Resource to ensure prevention, prohibition and redressal of sexual harassment at the workplace; and ensure adherence to the provisions under the Sexual Harassment of Male/Female at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

“Sexual harassment” includes any one or more of the following unwelcome acts, or behaviours (whether directly or by implication) namely:

- physical contact and advance; or
- a demand or request for sexual favours; or
- making sexually coloured remarks; or
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual Harassment at Workplace:

1. No Male/Female shall be subjected to sexual harassment at the workplace;
2. 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 his/her employment or implied or explicit threat of treatment in his/her employment detrimental or
 - implied or explicit threat about his/her present or future employment status or interference with his/her work or creating an intimidating or offensive or hostile work environment for his/her or
 - Humiliating treatment likely to affect his/her health and safety.

5. INTERNAL COMPLAINTS COMMITTEE

In order to provide safe and congenial work environment and to protect employees from sexual harassment at workplace, Internal complaints committee has been constituted by the Company. Internal complaints committee shall look into all complaints received. Internal Complaint Committee comprises of following:

- Presiding Officer: A woman employed at a senior level in the Company;

- At least 2 members from amongst employees, committee 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 is women.

Details of the members of the Internal Complaint Committee are available on the company's internal HRMS software and displayed at all company centers as well as the head office.

6. COMPLAINT OF SEXUAL HARASSMENT

Any aggrieved Male/Female may make, in writing, a complaint of sexual harassment at the workplace to the Internal Committee within a period of three months from the date of the incidence.

Provided further that the internal complaints committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the Male/Female from filing a complaint within the said period.

7. HANDLING OF COMPLAINTS BY INTERNAL COMPLAINTS COMMITTEE

- a) The internal complaint committee may before initiating an enquiry, at the request of the aggrieved Male/Female take steps to settle the matter between his/her and the respondent through conciliation. No monetary settlement shall be made as a basis of conciliation.
- b) Where the settlement has been arrived at, the Internal Complaints Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.
- c) The copies of the settlement shall be given to the aggrieved Male/Female and the respondent and no further enquiry shall be conducted by the internal complaint committee.
- d) Where the aggrieved Male/Female do not make request for settlement with the respondent or the respondent does not comply with any term or condition of settlement arrived or no settlement is arrived at between the aggrieved women and respondent, the Internal complaints committee shall proceed to make enquiry into the complaint in accordance with the service rules applicable to the respondent.
- e) The principles of natural justice and fair play shall be adhered to in an enquiry if both parties are employees and copy of the findings of the committee shall be provided to both the parties.
- f) The Internal complaints committee is constituted as per the provisions under 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013', and shall have same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 in respect of the following matters during the course of inquiry, namely
 - Summoning or enforcing the attendance of any person and examining him on oath.
 - Requiring the discovery and production of document; and
 - any other matter which may be prescribed

- g) The enquiry shall be completed within a period of ninety days from the date of receipt of complaints by the Internal Complaints Committee.
- h) During the pendency of the enquiry, on a written request made by the aggrieved Male/Female, Internal Complaints Committee may recommend to the employer to:
- Transfer the aggrieved Male/Female or the respondent to any other workplace; or
 - Grant leave to the aggrieved Male/Female up to three months (the leave granted to the aggrieved women shall be in addition to the leave she would be otherwise entitled)
 - Grant such other relief to the aggrieved Male/Female which is prescribed.
- i) Recommendation by Internal complaints committee as per the above clauses shall be duly implement by the Head of department in which such employee is a member and reported to the Internal Complaints Committee in writing.
- j) On the completion of the enquiry, the Internal complaints committee shall provide report of its finding to the Head of department within the period of ten days from the date completion of enquiry and such report shall be made available to the parties concerned.
- k) Where the Internal complaints committee arrives at a conclusion that the allegation against the respondent has not been proved, it shall recommend to the Head of department that no action is required to be taken in the matter.
- l) Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Head of department to take action as per the clause 13 (3) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- m) Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved Male/Female or any other person making the complaints has made the complaints knowing it to be false or the aggrieved Male/Female or any other person making the complaints has produced any forged or misleading document, it may recommend to the Head of department to take action against the Male/Female or the person who has made the complaint. Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. Malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure as prescribed has been completed before any action is taken.
- n) Where the Internal Complaints Committee arrives at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Head of department to take action in accordance with the provisions of the service rules applicable to the witness.
- o) For the purposes of determining the sums to be paid to the aggrieved Male/Female under the Clause 13(3)(ii) of the Act, the Internal Committee shall have regard to:
- the mental trauma, pain, suffering and emotional distress caused to the aggrieved Male/Female,
 - the loss in the career opportunity due to the incident of sexual harassment,
 - medical expenses incurred by the victim for physical or psychiatric treatment,
 - income and financial status of the respondent, and

- feasibility of such payment in lump sum or in instalments.
- p) Any information related to the conciliation, inquiry, recommendations or action taken shall be kept confidential and not be published, communicated or made known to the public, press and media in any manner.
- I. provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
 - II. Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting the Internal Committee.
 - III. 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 Committee in the manner as may be prescribed;
 - IV. provide necessary facilities to the Internal Complaints Committee dealing with the complaint and conducting an inquiry;
 - V. assist in securing the attendance of respondent and witnesses before the Internal Complaints Committee;
 - VI. make available such information to the Internal Complaints Committee as it may require having regard to the complaint received from aggrieved Male/Female ;
 - VII. provide assistance to the Male/Female if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
 - VIII. cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, if the aggrieved Male/Female so desires;
 - IX. treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
 - X. Monitor the timely submission of reports by the Internal Complaints Committee.

The Internal Complaint Committee shall in each calendar year prepare an annual report in the prescribed form and submit the same to the Head of Human Resource Department and District Officer (District Magistrate / Collector) within 15 days of the close of the calendar year.

Where the employer fails to constitute an internal committee or take action or contravenes or attempts to contravene or abets contravention of the provisions of the Act, he shall be punishable with fine which may extend up to fifty thousand rupees. For conviction of same offence again, twice the punishment imposed earlier will be the liability. In cases of higher punishment, revocation, cancellation of registration/license may be imposed.

8. AMENDMENTS

The Company is dedicated to regularly assess and update its policies and procedures. Consequently, this policy may be amended from time to time subject to Board approval and in compliance with applicable laws and regulations. This policy and any further modifications/ amendments to the same shall be promptly disclosed on the Company's website and filed in accordance with the applicable laws and regulations.

In case of any amendment(s), clarification(s), circular(s) etc. issued by the relevant authorities, not being consistent with the provisions laid down under this Policy, then such amendment(s), clarification(s), circular(s) etc., shall prevail upon the provisions hereunder and this Policy shall stand amended accordingly from the Effective Date as laid down under such amendment(s), clarification(s), circular(s) etc.

