Medley Pharmaceuticals Limited

Policy for Prevention, Prohibition and Redressal of Sexual Harassment to women at workplace

PREAMBLE

- Sexual Harassment results in violation of the constitutional fundamental rights of employee viz. equality, right to life and to live with dignity and right to practice any profession or to carry on any occupation, trade or business.

- Objective is to provide equal employment opportunity, creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and Sexual Harassment and also to comply with the statute viz. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "Act") and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("Rules").

SCOPE

- This Policy extends to all women employees of Medley Group and shall be deemed to be incorporated in the service conditions of all employees. If a woman employee of a company of Medley Group suffers from sexual harassment from any employee of the Company, the employee can make complaint in writing to Internal Complaints Committee ("ICC") of the Company in which the complainant is an employee.

  For the purpose of this policy, woman employee in relation to any workplace of Medley Group means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

- As per Section 2(n) of the Act, "Sexual Harassment" means and includes any of the following:
  - Physical contact and advances;
  - A demand or request for sexual favors;
  - Sexually colored remarks;
  - Showing pornography;

- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

COMPLAINT REDRESSAL COMMITTEE

- Internal Complaints Committee of Medley Group, formed under Section 4 of the Act, shall be deemed as Complaint Redressal Committee under the Act. The composition of the Committee is given in the Annexure to this policy.

COMPLAINT, ENQUIRY AND REDRESSAL PROCESS

- Complaint can be made by the aggrieved employee **within three months** of the incident. In case of delay not exceeding 3 months, the employee may file the complaint with request for extension of time / condonation of delay and ICC may entertain the complaint by granting extension / condonation of delay, if found appropriate. (Section 9 (1) of the Act).

- Complaint has to be in writing and six copies of the complaint must be submitted to the Secretary of the ICC with supporting documents and the names and addresses of the witnesses (Rule 7(1) of the Rules). ICC will send one copy of the complaint to respondent, one copy each will be given to each of the ICC members and one copy will be retained in the file of the Company.

- Complaint will be kept confidential and the identity/ address of the aggrieved, respondent, witnesses or any information related to the conciliation, inquiry, recommendation etc. shall not be published, communicated to the public, press or media in any manner.

- Where aggrieved employee is unable to make complaint, his/ her legal heir may make a complaint to the ICC.

- Complainant can request the ICC for settlement of the complaint and the ICC may before initiating an inquiry **settle the matter** between the complainant and the respondent through **conciliation**, whereupon no further inquiry shall be made by the ICC. **No monetary settlement** should be made as a basis of conciliation (Section 10 of the Act). If any term of the settlement is not complied with, the complainant may request ICC to initiate an inquiry in to the complaint. (Section 11 of the Act).

- Upon receipt of complaint, ICC shall give one copy of the complaint along with supporting documents to respondent within a period of 7 working days.

- The respondent shall file his reply to the complaint within 10 days of receipt of the complaint from ICC.

- ICC shall make inquiry into the complaint in accordance with the principles of natural justice.

- ICC may, by giving 15 days advance notice, terminate the inquiry proceedings or may give an ex parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by Presiding Officer of the ICC.

- Neither party shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC (Rule 7(6) of the Rules).

- ICC shall complete the inquiry within a period of 90 days of the receipt of any such complaint.

- Opportunity of being heard : In case of an inquiry, **opportunity of being heard will be given** to both the parties and they will be provided with the **copy of the findings of ICC** to enable them to make a **representation against the findings** before the ICC.

- During inquiry, the ICC may at a written request of the complainant recommend to the Company:
    - Transfer of the complainant or the respondent;
    - Grant leave to the complainant up to a period of three months, which shall be in addition to the leave to which complainant would be otherwise entitled;
    - Restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer;

- Upon conclusion of inquiry, ICC shall send a report to the Company within 10 days and a copy thereof to each party and the Company shall implement the recommendation and report the same to the ICC.

- Upon conclusion of the inquiry, if the ICC arrives at the conclusion that **allegation** against the respondent is **not proved**, ICC shall recommend to the Company that **no action is required** to be taken.

- Upon conclusion of the inquiry, if the ICC arrives at the conclusion that **allegation** against the respondent is **proved**, ICC shall recommend to the Company :
  - To take action for the offence **as a misconduct** in accordance with the **service rules** applicable to the respondent;
  - To **deduct from the salary** of the respondent such sum as it may consider appropriate to be **paid to the aggrieved person / legal heirs**. (in case the respondent fails to pay the sum, the ICC may forward the order for recovery of sum as an arrear of land revenue to the concerned District Officer.

    For the purpose of determining the sums to be paid to the complaint, the ICC shall have regard to :
    - The mental trauma, pain, suffering and emotional distress caused;
    - The loss in career opportunity
    - Medical expenses incurred for physical or psychiatric treatment;
    - The income and financial status of the respondent; and
    - Feasibility of such payment in lump sum or in instalments.

- The Company shall act upon the ICC's recommendation within 60 days.

- The Complainant aggrieved from the recommendation of the ICC or for non-implementation of recommendation, may prefer an appeal, as per Rule 11 of the Rules and Section 18 of the Act, within 90 days.

- False or Malice Complaint / Evidence: Upon conclusion of the inquiry, if the ICC arrives at the conclusion that allegation against the respondent is malicious or any person has made false complaint or submitted forged or misleading documents, the ICC may recommend to the Company to take action against such person (employee as well as witness) in accordance with the service rules applicable.

OTHER POINTS

- The employees may send suggestions about requirements for a safe working environment at workplace to the Secretary of the ICC which the ICC shall consider and take action;

- The employees are advised to read the applicable laws and rules on the subject.

- For any clarification, please contact Mr. Ravindra More, Company Secretary & GM Legal.

Annexure

Internal Complaints Committee of Medley Pharmaceuticals Ltd formed pursuant to Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Internal Complaints Committee of Medley Pharmaceuticals Limited

Name	Designation
Ms. Hema Kharade	Presiding Officer
Mr. Rakesh Karia	Member
Ms. Pradnya Teli	Member
Ms. Maryanne Kenny	Member