



M/S. SWYOM ADVISORS LIMITED
OF
POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE



1. BACKGROUND

In accordance with the provisions of the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** (“POSH Act”), Cargotrans Maritime Limited (“the Company”) is committed to providing a safe, professional and respectful work environment and ensuring equality of opportunity with dignity and respect. The Company has zero tolerance towards sexual harassment at the workplace and shall take all necessary steps to prevent and redress such conduct.

2. DEFINITIONS

a. “Employee” means a person employed at the workplace on a regular, temporary, ad hoc or daily wage basis, directly or through an agent/contractor, whether for remuneration or otherwise, including co-workers, contract workers, probationers, trainees, interns, volunteers and persons engaged under express or implied terms of employment. It also includes visitors and persons residing in accommodation or premises allotted by the Company.

b. “Employer” means any person responsible for the management, supervision and control of the workplace.

c. “Management” includes the Board of Directors or any person or committee responsible for formulation and administration of the Company's policies.

d. “Internal Complaints Committee” or “ICC” means the committee constituted under Section 4 of the POSH Act.

e. “Sexual Harassment” includes any unwelcome act or behaviour of a sexual nature, whether verbal, non-verbal or physical, including unwelcome sexual advances, requests for sexual favours, sexually coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

3. SCOPE

Sexual harassment includes, but is not limited to:

- a. Unwelcome sexual advances, whether verbal, written or physical;
- b. Demand or request for sexual favours;
- c. Showing or sharing pornography or offensive/derogatory pictures, cartoons, pamphlets or messages;
- d. Sexually oriented jokes, comments or conduct creating an intimidating, hostile or offensive work environment;
- e. Eve-teasing, gender-based insults or sexist remarks;



- f. Unwelcome sexual communication through telephone, text messages, emails, social media or other electronic means;
- g. Unwelcome touching, physical contact, molestation or other inappropriate physical conduct;
- h. Any act likely to violate a person's privacy; and
- i. Implied or explicit promise or threat of preferential or detrimental treatment in employment, threat concerning present or future employment, conduct interfering with work or creating a hostile/offensive environment, or humiliating conduct likely to affect health or safety.

4. RESPONSIBILITY

Every employee has a responsibility to ensure that their conduct is consistent with this Policy and to contribute towards maintaining a workplace free from sexual harassment.

5. COMPLAINT MECHANISM

The Company shall constitute an **Internal Complaints Committee (ICC)** for time-bound redressal of complaints relating to sexual harassment at the workplace.

5.1 Constitution of ICC

The ICC shall comprise:

- a. A **Presiding Officer**, who shall be a senior-level woman employee at the workplace;
- b. At least **two Members** from among employees, preferably committed to the cause of women or having experience in social work or legal knowledge; and
- c. **One external member** from an NGO/association committed to the cause of women or a person familiar with issues relating to sexual harassment.

The Presiding Officer and every Member shall hold office for a period of **three years**, subject to the provisions of the POSH Act.

A minimum of **three members**, including the Presiding Officer/Chairperson, shall be present for conducting an inquiry.

6. PROCEDURE FOR RESOLUTION OF COMPLAINTS

6.1 Informal Resolution

Where appropriate, the aggrieved woman may communicate her objection to the conduct and request that it stop. If the conduct continues, or if she is uncomfortable approaching the respondent directly, she may approach the ICC for assistance and redressal.

6.2 Formal Complaint

- a. An aggrieved woman may make a written complaint to the ICC within three months from the date of the incident or, in case of a series of incidents, within three months from the date of the last incident. The ICC may extend the time limit by a further period of up to three months in accordance with the POSH Act.
- b. Where the aggrieved woman is unable to make a complaint due to physical or mental incapacity, death or otherwise, the complaint may be made by a person permitted under the POSH Act.
- c. The ICC shall conduct the inquiry in accordance with the POSH Act and applicable Rules and shall endeavour to complete the inquiry within 90 days from receipt of the complaint.
- d. Where the allegations constitute an offence under applicable law, appropriate action shall be initiated in accordance with law.
- e. The ICC shall submit its written findings and recommendations to the Employer within the prescribed statutory period. The Employer shall act upon the recommendations within 60 days of their receipt, as required under the POSH Act.

7. CONCILIATION

At the request of the aggrieved woman, the ICC may take steps to settle the matter through conciliation before commencing an inquiry, provided that **no monetary settlement shall be made as the basis of such conciliation**.

Where a settlement is reached, the ICC shall record the settlement, provide copies to the aggrieved woman and the respondent, and forward the same to the Employer for appropriate action. No further inquiry shall be conducted where a settlement has been reached.

8. COMPENSATION

Where the ICC concludes that the allegations have been proved, it may recommend compensation to the aggrieved woman in accordance with the POSH Act.

In determining compensation, the ICC shall consider, among other factors:

- a. Mental trauma, pain, suffering and emotional distress;
- b. Loss of career opportunity;

- c. Medical expenses incurred;
- d. Income and financial status of the respondent; and
- e. Feasibility of payment in lump sum or instalments.

9. CORRECTIVE / DISCIPLINARY ACTION

Based on the findings and recommendations of the ICC, appropriate action may include:

- a. Formal apology;
- b. Counselling;
- c. Written warning;
- d. Change of work assignment or transfer;
- e. Withholding or stoppage of increment/promotion;
- f. Adverse impact on performance appraisal;
- g. Fine or other disciplinary action as permitted under applicable law/service rules;
- h. Compensation in accordance with the POSH Act; and
- i. Termination of employment or other appropriate action in accordance with applicable law and service rules.

Where a complaint is found to have been made maliciously or knowing it to be false, or where forged or misleading documents have been produced, appropriate action may be taken in accordance with the POSH Act and applicable service rules. A mere inability to substantiate a complaint shall not by itself attract action for a false complaint.

10. APPEAL

Any person aggrieved by the recommendations of the ICC may prefer an appeal in accordance with the applicable service rules and the POSH Act within the prescribed period, presently **90 days** from the date of the recommendations.

11. CONFIDENTIALITY

The contents of the complaint, identity and addresses of the aggrieved woman, respondent and witnesses, information relating to conciliation and inquiry proceedings, recommendations of the ICC and action taken by the Employer shall be kept confidential in accordance with the POSH Act.

No such information shall be published, communicated or made known to the public, press or media except as permitted by law.

12. PROTECTION AGAINST VICTIMISATION

The Company shall ensure that no employee who makes a complaint or participates in an inquiry is subjected to retaliation, victimisation or discrimination. Any such conduct shall be treated as a serious matter and may result in disciplinary action.

The Company shall also take appropriate action against any person who abuses the complaint mechanism or engages in malicious conduct, in accordance with applicable law.

13. PENALTIES AND NON-COMPLIANCE

Any person entrusted with handling a complaint or inquiry who breaches the confidentiality requirements may be subject to appropriate action under applicable service rules and law.

Failure by the Employer to comply with the provisions of the POSH Act, including constitution of the ICC, conducting inquiries, taking action on recommendations, maintaining required records or complying with other statutory requirements, may attract the penalties prescribed under the POSH Act and applicable Rules.

14. DUTIES OF THE EMPLOYER

The Company shall:

- a. Provide a safe working environment;
- b. Display the penal consequences of sexual harassment and the order constituting the ICC at a conspicuous place;
- c. Organise awareness workshops and programmes for employees and orientation programmes for ICC members at regular intervals;
- d. Conduct capacity-building and skill-building programmes for ICC members;
- e. Display the names and contact details of ICC members;
- f. Provide necessary facilities and assistance to the ICC for conducting inquiries;
- g. Assist in securing the attendance of the respondent and witnesses;
- h. Provide relevant information and assistance required by the ICC;

- i. Assist an aggrieved woman, where she so chooses, in making a complaint under applicable law;
- j. Initiate appropriate action where the perpetrator is not an employee, as required under the POSH Act;
- k. Treat sexual harassment as misconduct under applicable service rules; and
- l. Monitor timely submission of reports by the ICC and comply with applicable statutory reporting requirements.

15. AMENDMENT

Any amendment to this Policy shall require approval of the Board of Directors. The Board may amend, modify, withdraw or replace the Policy from time to time.

In case of any inconsistency between this Policy and the **POSH Act, applicable Rules, Companies Act, 2013, SEBI regulations or any other applicable statutory provisions**, the applicable statutory provisions shall prevail.

16. DISSEMINATION OF THE POLICY

This Policy shall be made available on the website of the Company and shall be communicated to employees and other relevant stakeholders as appropriate.

Company Website: www.swyom.com

