

POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT

1. COMMITMENT

Rustomjee is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

2. SCOPE

This policy prepared in compliance of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ('Act') covers every "employee" across the Company and we encourage every employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

Rustomjee's policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the company for undertaking such visit.

This policy against sexual harassment includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsourced employees. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

This Policy comes into force with immediate effect.

3. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment would mean and include any of the following:

- a) 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 company activity
- b) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance
- c) Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy
- d) Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex
- e) Conduct of such an act at work place or outside in relation to an Employee of Rustomjee , or vice versa during the course of employment; and
- f) Any unwelcome gesture by an employee having sexual overtones

4. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

5. COMPLAINT MECHANISM

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of “**Complaints Committee**” has been created in the Company for time-bound redressal of the complaint made by the victim.

6. INTERNAL COMPLAINTS COMMITTEE (ICC)

Keystone Realtors Private Limited, parent company, has instituted an Internal Complaints Committee (ICC) to redress sexual harassment complaint (made by the victim) for ensuring time bound treatment of such complaints.

Every complaint received shall be forwarded to the ICC formed under the policy for redressal. The investigation shall be carried out by the ICC constituted for this purpose.

The Name of the Members of the Internal Complaints Committee is as per Annexure A of this Policy and any change in such composition shall be effected in the policy

At least half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

The Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

7. Complaint Redressal Mechanism:

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 1 month from the date of incident and in case of a series of incidents, within a period of 2 months from the date of last incident.

7.1. The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.

7.2. On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.

7.3. Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.

7.4. The Complainant shall make a complaint to the Internal Complaints Committee through following mode:

- a) Copy of complaint along with supporting documents and names and address of witness (if any) shall be sent to Internal Complaints Committee at ethics@rustomjee.com
- b) On receipt of such complaint, Internal Complaints Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days
- c) Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses
- d) Internal Complaint Committee shall investigate in detail into the matter of the complaint. The Internal Complaint committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.
- e) Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
- f) The Internal Complaint Committee must complete its investigation within a period of 60 days.
- g) The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
- h) For conducting the enquiry the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.

8. ACTION:

- 8.1. The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the Board.
- 8.2. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
- 8.3. If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:
 - a) Take action for sexual harassment as misconduct.
 - b) To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
 - c) To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.
- 8.4. Such action will be taken within 60 days of the receipt of report.

9. FALSE ACCUSATIONS:

- 9.1 The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
- 9.2 If the Internal Complaint Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the Internal Complaint Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

- 9.3 It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. Rustomjee recognizes and expects that some claims may be difficult to prove or support, or may not be found suitable to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

10. MISCELLANEOUS:

Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.

Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

11. CONCLUSION:

Complaints relating to Sexual Harassment shall be handled and investigations shall be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses will not be published or disclosed to the public or media.

The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

Annexure A

Following will be member of the Internal Complaint Committee constituted / to be constituted by Keystone Realtors Private Limited:-

- 1 Anooja Menon
- 2 Bimal Nanda
- 3 Parinita Devadiga
- 4 Vivek Gadhe
- 5 Shraddha Pal
- 6 Saurabh Naik
- 7 Jahaan Nargolwala