

**POLICY ON EMPLOYEE SAFETY AND PREVENTION OF  
HARASSMENT AT WORKPLACE**

**APPROVED BY THE BOARD ON 14.03.2023**

## 1. Commitment

Netweb Technologies India Ltd. (formerly known as Netweb Technologies India Pvt. Ltd.) (Company) strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. We strongly believe that the environment of the Company should be characterized by mutual trust and absence of intimidation, oppression, and exploitation. Company is zero tolerant towards unlawful discrimination or harassment practiced in any kind and in any form. We value each employee working with us and wish to protect their personal dignity.

The objective of this Policy is to provide protection against sexual harassment, or any other form of harassment based on gender, race, religion, natural origin, age, sexual orientation, or other protected classification at workplace and for the prevention and redressal of complaints of harassment and for matters connected therewith.

## 2. Scope

This Policy will be applicable to all the employees of the Company including those employed on regular, temporary, or ad-hoc basis, including a contractor. The Policy also extends to those who are not employees of the Company, such as customers, visitors, vendors, suppliers, trainee or called by any other name, who practice or indulge in any kind of harassment within the Premises of the Company.

The workplace includes:

1. All offices, factories, or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site 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.

## 3. Definitions

- "Aggrieved/Complainant" means in relation to a workplace, any individual of any age whether employed in the Company or not, who alleges to have been subjected to any act of harassment by any Respondent and includes contractual/temporary agents and visitors.
- "Local Committee" means the local complaints committee constituted under section 6; "Company" means Netweb Technologies India Limited (formerly known as Netweb Technologies India Pvt. Ltd.).
- "Respondent" means a person against whom the Aggrieved has made a complaint.
- "Act" means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as amended and any other rules framed pursuant to the same.

## 4. What is Sexual Harassment

Sexual Harassment includes: Any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely

- Physical contact and advances; or
- A demand or request for sexual favors; or
- Making sexually colored remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

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 her employment; or
- Implied or explicit threat of detrimental treatment in her employment; or
- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment likely to affect her health or safety.

Some examples of behavior that constitutes sexual harassment at workplace:

- Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
- Offensive comments or unethical jokes.
- Threats, intimidation, or retaliation against an employee who speaks up about unwelcome behavior with sexual overtones.
- Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- Stalking an individual.
- Controlling a person's reputation by rumormongering about her private life.

## **Intimidation**

Also called workplace bullying happens when a superior, co-worker, direct report or colleagues uses physical force, violence or threats, blackmails or verbally abuses to manipulate a company employee for some professional advantage. It usually lays a negative impact on employee's productivity, mood, and even mental and physical health.

Some instances of Intimidation are:

- Physical violence, threats, or intimidation
- Criminal Assault
- Ridiculing or insulting you in front of co-workers or customers/public humiliation in any form
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or making up property)
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Encroachment on the personal space of others and destruction of property
- Sending harassing instant messages or text messages
- Defamation

## **5. Complaint Process**

Whether or not such conduct constitutes an offence under law and a breach of the employment 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 complainant.

Netweb will ensure that any Complainant will not suffer adverse job consequences as a result of any complaint being made.

### **Internal Complaints Committee –**

In order to prevent instances of harassment and to receive and effectively deal with complaints relating to the same, the Company shall have an Internal Complaints Committee ("Committee"). The details of the Committee are notified to all the people at all the locations/branch offices of the Company.

The Committee has been constituted of the following members as nominated by the Company:

- a. Head Legal – ('Presiding Officer') Chairperson – Woman (atleast ½ of the members should be women)
- b. Member - Employee
- c. Member – Employee
- d. Member – a person from ngo / social worker / person having knowledge of sexual harassment issues eg. Advocate. (To be appointed by the person nominated by the Board for the purpose)

The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the Company under the Policy. The Presiding Officer and the members of the internal committee shall be comply with the duties and obligations as set out in Act. In case of any non-compliance, Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

The Member appointed from amongst the non-governmental organizations or associations shall be entitled to get paid such fees or allowances for holding the proceedings of the Internal Committee, by the Company.

The Committee shall be responsible for:

- a. Receiving complaints of harassment at the workplace.
- b. Initiating and conducting inquiry as per the established procedure.
- c. Submitting findings and recommendations of inquiries.
- d. Coordinating with the employer in implementing appropriate action.
- e. Maintaining strict confidentiality throughout the process as per established guidelines.
- f. Submitting annual reports in the prescribed format.

### **Complaint Redressal Mechanism**

Any aggrieved person may make, in writing, a complaint of harassment at the workplace to the internal committee, if so constituted, or the Local Committee, in case it is not so constituted, giving a detailed complaint to any of the Committee member at the workplace. In cases of sexual harassment, the complaint has to be made within a span of three (3) months from the date of incident and in case a series of incidents, within a period of 3 months from the date of last incident.

With respect to incidents other than sexual harassment, complaint should be submitted within ten (10) days of the occurrence of the event.

Where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaints Committee shall render all reasonable assistance to the aggrieved for making the complaint in writing.

Where on account of incapacity, the Aggrieved is unable to lodge the complaint, the following may do so on her behalf with her consent:

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the Committee immediately.

The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Complaints Committee through following mode:

- Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Complaints Committee at [hr@netwebindia.com](mailto:hr@netwebindia.com) or to any one of the email ids provided in Annexure A of this document.
- 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.
- Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, name and addresses of witnesses.
- Internal Complaint Committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.
- During the enquiry process, the Complainant and the Respondent shall refrain from any form of threat, intimation or influencing of witnesses.
- The Committee will conduct enquiry in accordance with the Principle of Natural Justice and will ensure to give both parties, the Aggrieved as well as the Respondent, a right to be heard and present their case before the Committee.
- The Committee shall maintain confidentiality during the enquiry procedure and ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- The 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.
- The Committee must complete its investigation within a period of 90 days.
- The Parties shall not be allowed to engage any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
- For conducting the enquiry, the quorum of the Committee shall be of 3 members including the Presiding Officer.
- The Committee before the initiation of inquiry, may and at the Aggrieved person's request, attempt to settle the matter through Conciliation. However, the Committee shall make sure that:
  - ❖ No monetary settlement will be made as a basis of conciliation.
  - ❖ Where settlement has been arrived, the settlement terms shall be signed by both the parties, and they shall also be provided with a copy of the same.
  - ❖ Where the Committee along with the Parties manages to arrive to a settlement as mentioned hereinabove, no further enquiry shall be conducted by the Committee.

In the matters related to sexual harassment, for the purpose of discharging its duties under this Policy and during investigation, the Committee may exercise the power of a civil court, vested in it, in respect of:

- Summoning and enforcing the attendance of any person and examining him under oath.
- Requiring discovery and production of documents.
- Any other prescribes matter.

During enquiry in matters related to sexual harassment only, upon written request by the Aggrieved, the Committee may at its discretion recommend:

- To transfer the aggrieved person or the respondent to any other workplace.
- Grant leave to the Aggrieved of up to three (3) months which is in addition to leave to which she is otherwise entitled, provided the Aggrieved has to tender justified reason for such transfer or leave, such as threat to workplace.

- grant such other relief to the aggrieved woman as may be prescribed

Any and all proceedings of the inquiry will be properly documented. The Committee will interview the Aggrieved, Respondent and witnesses separately and impartially. Detailed notes of the meetings should be prepared which may be shared with the parties upon a written request.

Where the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it recommends to the Employer that no action is required to be taken in this matter. The Committee will ensure that both parties understand that the matter has been fully investigated, concluded and will not be disadvantages within the Company.

On completion of enquiry, the Committee shall provide a report of its finding within 10 days from the date of completion of enquiry and a copy of the said report shall be furnished to the Employer along with the concerned Parties. In the event, the allegations against the Respondent have not been proved, the Committee may recommend that no action needs to be taken in the matter. If the Committee arrives at the conclusion that the allegation against the Respondent have been proved, or if such complaint is proved to be false or malicious, it shall recommend to take action for harassment as a misconduct, as the following punishment matrix:

| <b>PENALTY MATRIX</b> |  |
|-----------------------|--|
| <b>Severity</b>       | <b>Disciplinary Action</b>   |
| <b>Minor</b>          | Warning,<br>Reprimand,<br>Written apology to the Aggrieved/ Complainant  |
| <b>Moderate</b>       | Withholding of promotions/ increments,<br>Rescinding of bonus,<br>Transfer from present location,<br>Suspension  |
| <b>Stringent</b>      | Compensation or deduction from the salary of the Respondent or issue direction for payment such amount as it may deem necessary and appropriate to the Aggrieved or to her legal heirs, taking into consideration mental trauma, pain, suffering and emotional distress caused, medical expenses incurred, if any;<br>Suspension for a term as the Committee may find appropriate;<br>Termination/ Dismissal from employment;<br>Legal action in accordance with the relevant provisions of the Indian Penal Code, 1860 and the Criminal Code. |

**6. Prohibition of Publication or Making known contents of Complaint or Inquiry**

The contents of the Complaint made under this Policy, identity and addresses of the Aggrieved, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the Company shall be kept confidential and will not be unnecessarily published, communicated, or made available in public in any manner. Provided the information may be disseminated regarding the justice secured to any victim of harassment without disclosing the name, address, identity, or any other particulars calculated to lead to the identification of the Aggrieved and witnesses.

**7. Retaliation**

This Policy strictly prohibits any kind of intimidation or harassment of individuals who have filed complaints, instituted proceedings, assisted in investigations, or formally or informally objected to discriminatory practices, irrespective of the final outcome.

**8. Malicious Allegations**

Where the Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved or any other person making the Complaint has made the complaint knowing it to be false or the Aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action as prescribed under the Act, against the woman or the person making such complaint.

The action recommended should be the similar to the ones proposed for the Respondent in case of substantiated complaints.

It is to be noted that this clause does not intend to discourage employees from coming forward with any complaints. Company recognizes and accepts that some claims may be difficult to prove or support or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. This type of complaints will not be categorized as false accusations or malicious allegations. It is also to be noted that the mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

**9. Dissemination of the Policy**

- a. All the Employees, Customers, Agents, and Visitors shall have access to this Policy at the given point of time and clarification related to this Policy shall be addressed by the HR/Legal Team.
- b. A briefing of this Policy shall be given to all the existing employees regarding the highlights and features of this Policy immediately on formulation of the Policy and the new employees in the Company will also be made accustomed to this policy during their initial induction.

**10. Appeal**

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being.

**11. Policy Implementation and Review**

This Policy is as per the applicable laws of India including The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 as well as any other applicable law governing sexual harassment, for the time being in force in India.

The Company is authorized to make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary or is necessitated due to applicability or changes in any Laws and other statutory requirements. Words and expressions used but not defined in this Policy shall have the same meaning assigned to them in the Act and rules made thereunder or in any amendment thereto each as amended.

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