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

Previous Revision date – 1st April 2020

Latest Revision date – 26th October 2026

PURPOSE

Employees have right to life and live with dignity under Article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

APPLICABILITY

This policy has come into effect from 18th June, 2013 and is applicable to all permanent employees, contract workers, probationers, temporary employees, trainees, apprentices of Asian Paints Ltd and any person visiting the Asian Paints Ltd, Asian Paints House, Vakola establishment in connection with any work.

RESPONSIBILITY

It shall be the duty and responsibility of the Business Unit Head to ensure prevention, prohibition and redressal of sexual harassment at the workplace; and also ensure adherence to the provisions under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

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

- physical contact and advance; 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

Sexual Harassment at Workplace:

- No woman shall be subjected to sexual harassment at the workplace
- 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 treatment in her employment detrimental 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 and safety

DEFINITION OF WORKPLACE

For the purpose of this Policy, 'Workplace' shall have the meaning assigned to it under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and shall include all offices, branches, establishments, factories, units, work locations, and any place visited by an employee arising out of or during the course of employment, including employer-provided transportation.

INTERNAL COMMITTEE

In order to provide safe and congenial work environment and to protect employees from sexual harassment at workplace, Internal Committee has been constituted at various locations. The Presiding officer and every member of the Internal Committee shall hold office for a period of three years from the date of their nomination. This Internal Committee shall look into all complaints received. Details of the various committees are available on Huddle under "Consolidated Policies and Benefits" groups for Executive, Assistant Managers, Managers, Scientists, Specialists, Non-plant Executives and Plant Executives.

COMPLAINT OF SEXUAL HARASSMENT

Any aggrieved women 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 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 women from filing a complaint within the said period.
The aggrieved women may make the compliant in writing either to the concerned Internal Committee member directly, their BHR, or write to the email id internal.committee@asianpaints.com or through the SHe-Box portal at Home | SHe-Box | MINISTRY OF WOMEN & CHILD DEVELOPMENT | GOI No woman shall be subjected to retaliation, victimization, intimidation, discrimination, adverse employment action, or any other detriment on account of making a complaint, participating in an inquiry, providing information, or otherwise assisting in proceedings under this Policy.

HANDLING OF COMPLAINTS BY INTERNAL COMMITTEE

- The internal committee may before initiating an enquiry, at the request of the aggrieved women take steps to settle the matter between her and the respondent through conciliation. No monetary settlement shall be made as a basis of conciliation
- Where the settlement has been arrived at, the Internal Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation
- The copies of the settlement shall be given to the aggrieved women and the respondent and no further enquiry shall be conducted by the internal committee
- Where the aggrieved women 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

Committee shall proceed to make enquiry into the complaint in accordance to the service rules applicable to the respondent

- 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
- The Internal 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
    - And any other matter which may be prescribed
- The enquiry shall be completed within a period of ninety days from the date of receipt of complaints by the Internal Committee
- During the pendency of the enquiry, on a written request made by the aggrieved women, Internal Committee may recommend to the employer to:
    - Transfer the aggrieved women or the respondent to any other workplace; or
    - Grant leave to the aggrieved women 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 woman which is prescribed.
    - Recommendation by Internal Committee as per the above clauses shall be duly implement by the Business Unit Head and reported to the Internal Committee in writing
    - On the completion of the enquiry, the Internal Committee shall provide report of its finding to the Business Unit Head within the period of ten days from the date completion of enquiry and such report shall be made available to the parties concerned
    - Where the Internal Committee arrives at a conclusion that the allegation against the respondent has not been proved, it shall recommend to the Business Unit Head that no action is required to be taken in the matter
- Where the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Business Unit Head to take action as per the clause 13 (3) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- Where the Internal Committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved women or any other person making the complaints has made the complaints knowing it to be false or the aggrieved women or any other person making the complaints has produced any forged or misleading document, it may recommend to the Business Unit Head to take action against the women 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.

- Where the Internal 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 Business Unit Head to take action in accordance with the provisions of the service rules applicable to the witness.
- For the purposes of determining the sums to be paid to the aggrieved woman 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 woman,
    - 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 installments.
- 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.

ADDITIONAL RESPONSIBILITY OF THE BUSINESS UNIT HEAD

- Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting the Internal Committee
- 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;
- Provide necessary facilities to the Internal Committee dealing with the complaint and conducting an inquiry;
- Assist in securing the attendance of respondent and witnesses before the Internal Committee;
- Make available such information to the Internal Committee as it may require having regard to the complaint received from aggrieved woman;
- Provide assistance to the woman 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;
- 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 woman so desires;
- Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- Monitor the timely submission of reports by the Internal Committee
- The Internal Committee shall in each calendar year prepare an annual report in the prescribed form and submit the same to the Business Unit Head 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.

ADDITIONAL RESPONSIBILITY OF THE BUSINESS HR

- **Route Complaints Promptly to the Internal Committee:** Ensure that complaints received verbally, in writing, through email, or through any reporting channel are promptly brought to the attention of the Internal Committee.
- **Maintain Confidentiality:** Information relating to the complaint, parties, witnesses, and proceedings should be shared strictly on a need-to-know basis.
- **Facilitate Access to Reporting Channels:** Guide employees to the Internal Committee and available reporting mechanisms without discouraging or influencing the complaint process.
- **Support Implementation of Interim Relief Measures or Final IC/Ethics Committee Recommendations:** Coordinate with business leaders and managers to facilitate recommendations made by the IC during the pendency of the inquiry, such as transfer, leave, or other relief measures
- **Promote Awareness and Sensitization:** Support the employer in conducting PoSH awareness programmes, training sessions, and sensitization initiatives for employees.

APPROPRIATE / DESIRED CONDUCT

- Keeping a respectful physical distance when speaking with a colleague
- Taking care to use respectful language when talking with co-workers and being mindful of one's body language
- A hands-off policy
- Having respect for surroundings and people around even when displaying a sense of humour
- Discourage conducting meetings in a Hotel Room, make use of common areas (quiet space in the lobby / 24-hour café / sitting area / lounge) for conducting the meeting. In case the same is unavoidable, a prior approval from the Function Head will be required
- Taking responsibility for corrective action as soon as one becomes aware of any incident of sexual harassment, even involving others. In case a colleague shares their concern(s) with you, do not trivialize the issue. Encourage the colleague to report the case to IC

UNACCEPTABLE CONDUCT

- An unwelcome physical contact
- Stalking

- Demeaning comments / remarks about physical attributes about women colleagues / customers / clients / vendors
- An employee is made uncomfortable by team members who regularly tell sexually explicit jokes
- An employee pinches and fondles a co-worker.
- Sending emails or messages to co-workers that contain sexually explicit language and jokes
- Non-verbal unwelcome behavior such as staring repeatedly, obscene gestures, sexually suggestive glances
- Abetting harassment of a colleague
- A senior asking for sexual favours in return for better prospects, threat of withdrawal of benefits, threat to continuity of job of a subordinate
- Any unwelcome behavior 'under the influence of alcohol' cannot be treated as a justification for sexual advances / harassment

OFFICE ROMANCE

The company does not encourage or discourage romantic relationships developing between two consenting employees. However, in case a relationship develops between two individuals who work in the same department or location and whether having a reporting relationship or not, it will be the responsibility of both the individuals to inform Chief Human Resources Officer immediately. The Chief Human Resources Officer may, upon examination of the facts, prescribe such steps as may think necessary, including change in reporting relationship and change in assignment, to ensure there are no conflict of interests or other undesirable consequences. In the event such relationship goes sour, associated with feelings, misgivings, loss or any kind of damage to the individual, any acts and consequences emanating from the same shall be the responsibility of concerned individuals.

EXTENSION OF POLICY FOR MALE EMPLOYEES

The Policy on Prevention of Sexual Harassment at workplace is being extended to male employees effective 1st October 2016. Accordingly, an aggrieved male employee may make, in writing, a complaint of sexual harassment at the workplace to the functional head or business HR within a period of three months from the date of the incidence. The Functional head would be responsible to constitute an appropriate committee for the investigation of the complaint. The committee would initiate an enquiry and submit a report on completion of the investigation. Based on the enquiry findings and the recommendations made by the committee, the management would take action in accordance with the provisions of the service rules.
The aggrieved male employee may make the compliant in writing either to the concerned Internal Committee member directly, their BHR, or write to the email id internal.committee@asianpaints.com