



EXIM ROUTES PRIVATE LIMITED

421, 4th Floor, Suncity Success Tower, Sector-65 Golf Course Road Extension,
Gurugram-122101, HR (INDIA), Email: govind@eximroutes.in
GSTIN: 06AAFCE4612E1Z3 CIN: U51909HR2019PTC115525

POSH POLICY

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Prevention of Sexual Harassment At Workplace

1.Purpose

The purpose of this policy is to lay down guidelines and create awareness against sexual harassment in the workplace and the prevention, and redressal of complaints of sexual harassment and matters related to it.

2.Scope and Applicability

2.1 Applicability:

This policy will apply to all employees irrespective of gender (full-time, part-time, trainees, and those on contractual assignments) including all subsidiaries and affiliated companies at their workplace or client sites. The organization will not tolerate sexual harassment if engaged in by clients suppliers or any other business associates.

2.2 Workplace includes:

All offices or other premises where the Company's business is conducted. All company-related activities performed at any other site away from the Company's premises. Any social, business, or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

3.Policy

3.1 "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):

a) Any unwelcome sexually determined behavior, or pattern of conduct, which would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:

- Physical contact and advances.
 - Demand or request for sexual favors.
 - Sexually colored remarks or remarks of a sexual nature about a person's clothing or body.
 - Showing pornography, making, or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons, or other materials through email, SMS, MMS, etc.
 - Giving sexually suggestive objects.
 - Eve teasing, innuendos, and taunts, physical confinement against one's will, or any such act likely to intrude upon one's privacy.
 - Persistent watching, following, and contacting of a person; and
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.

b) The following circumstances if it occurs or is present about any sexually determined act or behavior amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment.
- Implied or explicit threat of detrimental treatment in employment.
- Implied or explicit threat about the present or future employment status.
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect health or safety.

c) Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved employee.

d) Aggrieved employee: In relation to a workplace, an employee, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent (includes contractual, temporary, visitors).

e) Employee: A person employed at the workplace, for any work on a regular, temporary, ad hoc, or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal



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employer, whether for remuneration or not, or working voluntarily or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.

f) Workplace: In addition to the place of work (Head office / Branch offices) it shall also include any place where the aggrieved employee or the respondent visits in connection with his/her work, during and/or arising out of employment/ contract/ engagement with the Company, including transportation provided for undertaking such a journey.

g) Employer: A person responsible for management, supervision, and control of the workplace.

3.2 Redressal Mechanism – Formal Intervention:

The complainant is required to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy.

3.3 Internal Committee (IC):

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal Committee" (IC) is constituted at each location or branch. The detail of the IC is notified to all employees at all the locations or workplace. The IC at each location will be comprised as follows:

Presiding Officer: A woman employee employed at a senior level in the organization or workplace.

Members: At least 2 members from amongst employees, committed to the cause of women and/or having legal knowledge.

External Member: One external member from a legal background and familiar with the issues relating to sexual harassment and the process of quasi-judicial.

At least one-half of the total committee members should be women.

3.4 Process to lodge a Complaint:

The complainant must submit a detailed complaint, along with all documentary evidence available along with names of witnesses, at **ic@eximroutes.in**. The complaint must be lodged within three (3) months from the date of the incident/ last incident. The IC can extend the timeline by

another three (3) months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.

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

If the aggrieved employee is unable to complain about the account of his/her incapacity, Legal heir, relative, friend Co-worker or any person having knowledge of the incident may do so on his/her behalf, with the individual's written consent

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, the complaint receiver must report the same to the IC immediately.

3.5 Resolution procedure through conciliation:

Once the complaint is received, before initiating the inquiry the IC may take steps to conciliate the complaint between the complainant and the respondent only if it is requested by the aggrieved employee. It must be made clear to all parties that conciliation in itself does not necessarily mean acceptance of a complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings are cleared. In case a settlement is arrived at, the IC records & reports the same to the employer for taking appropriate action. The IC will provide copies of the settlement to the complainant & respondent. Once the action is implemented, no further inquiry is conducted.

3.6 Resolution procedure through formal inquiry:

Conducting Inquiry

The IC will initiate an inquiry in the following cases:

- No conciliation is requested by the aggrieved employee.
- Conciliation has not resulted in any settlement.
- Complainant informs the IC that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

The IC must proceed to inquire into the complaint within Seven (7) days of its receipt of the original complaint/closure of conciliation/repeat complaint.

Manner of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses.
- Upon receipt of the complaint, the IC will send 1 copy of the complaint to the respondent within seven (7) working days.
 - Respondent must reply with all supporting documents within 10 working days of receiving the copy of the complaint from the IC.
 - No legal practitioner can represent any party at any stage of the inquiry procedure.
 - The IC will inquire into the complaint in accordance with the principles of natural justice.
 - While conducting the inquiry, a minimum of three IC members including the Presiding Officer must be present.

Interim relief:

During the pendency of the inquiry, on a written request made by the complainant, the IC may recommend to the Management to –

- Transfer the complainant or the respondent to any other workplace.
- Grant leave of a maximum of 3 months to the aggrieved employee, in addition to the leave she /he is otherwise entitled to.
- Prevent the respondent from assessing the complainant's work performance.
- Grant such other relief as may be appropriate.

Once the recommendations of interim relief are implemented, the Management must inform the IC regarding the same.

Termination of Inquiry:

The IC may terminate the inquiry or give an ex -parte decision, if the complainant or respondent respectively is absent for three (3) consecutive hearings, without reason.

Inquiry procedure:

All proceedings of the inquiry must be documented in detail by the IC.

- The IC interviews all concerned impartially.

- IC will state exactly what the allegation is and who has made the allegation.
- The respondent must be given full opportunity to respond and provide any evidence etc.
- Any witnesses produced by the respondent will also be interviewed & their statements will be taken.
- Any such inquiry must be completed, including the submission of the Inquiry Report, within (Ninety) 90 days from the date on which the inquiry is commenced. The inquiry procedure must ensure absolute fairness to all parties. A copy of the final findings is shared with the complainant and the respondent.

3.7 Action to be taken after inquiry:

Within 10 days of completion of the inquiry, the IC will submit its report containing the findings and recommendations to the Management. It must be ensured that the findings and recommendations reached are based on established facts that are recorded accurately.

3.8 Complaint when unsubstantiated:

If the IC concludes that the allegation against the respondent has not been proven, it will recommend to the Management that no action is required to be taken on the matter.

3.9 Complaint when substantiated:

If the IC concludes that the allegation against the respondent has been proven, it must recommend to the Management to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, which may include:

- Counselling
- Censure or reprimand
- Apology to be tendered by respondent.
- Written warning
- Withholding promotion and/or increments
- Suspension



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- Termination
- Or any other action that the Management may deem fit.

The Management acts upon the recommendations within Sixty (60) days and confirms to the IC.

3.10 Malicious Allegations:

Where the IC concludes that the allegation against the respondent is malicious or the aggrieved employee or any other person making the complaint has made the complaint knowing it to be false or the aggrieved employee or any other person making the complaint has produced any forged or misleading document, it must recommend to the employer to take action against the aggrieved employee or the person making the complaint. The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints. While deciding on malicious intent, the committee must consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be established through a separate inquiry.

3.11 Confidentiality:

The identity of the complainant, respondent, witnesses, statements, and other evidence obtained in the course of the inquiry process, recommendations of the committees, and action taken by the employer are considered as confidential materials and must not be published or made known to the public or media. Any person contravening the confidentiality clause is subject to disciplinary action.

3.12 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 Ninety (90) days of the recommendations being communicated.



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4.Special Circumstances and Exceptions

Country Head India must approve any deviation from this policy. Any changes to the policy must be approved by the MD/ Director/ Country Head India.

5.Non-compliance and Consequence

Non-compliance or frequent inconsistencies in adherence to this policy will lead to disciplinary action as considered appropriate by HR and the Management.