

# ADVANI HOTELS & RESORTS (INDIA) LIMITED

## Sexual Harassment Policy

Issuing Dept: Human Resources

### I. POLICY STATEMENT

Advani Hotels & Resorts (I) Ltd believes and commits that:

- a) All employees have the right to be treated with dignity
- b) Sexual harassment in the workplace will not be permitted or condoned
- c) Persons who have been subjected to sexual harassment in the workplace have a right to raise a grievance about it and to expect that the Company will take appropriate action

### II. PURPOSE

The Sexual Harassment Policy of the Advani Hotels & Resorts (I) Ltd has been in place since 2013 and applies to all Group employees. The purpose of the present policy, applicable to employees working in all Advani Hotels & Resorts (I) Ltd entities in India, is to be consistent with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Sexual Harassment Act"), which has come into effect from 9<sup>th</sup> December 2013. The Sexual Harassment Act has been enacted to protect women against sexual harassment in the workplace and to provide a means of redress for the redressal of complaints of sexual harassment.

The Indian Constitution guarantees to its citizens the right to gender equality, right to life & liberty, right to live with dignity, right to practice any profession, trade or business and the right to a safe environment at the workplace, free from sexual harassment. Sexual harassment is a violation of these fundamental rights. The Company commits itself to the timely handling of complaints of sexual harassment in accordance with the provisions of the Sexual Harassment Act and to ensure that fair procedures and appropriate action are taken to prevent, prohibit and deal with matters of sexual harassment.

The Company views sexual harassment of women in the workplace with extreme strictness. The disciplinary action, including dismissal, may result if the sexual harassment complaint is proven against the employee. Conversely, false and malicious allegations of sexual harassment that are not proved will also be viewed in a serious light and may result in action under the House Rules & Service Conditions of the company against the woman employee making a false complaint.

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### III. POLICY:

This policy applies to all employees, both female and male, of Advani Hotels & Resorts (India) Ltd. and will be deemed to form part of their Conditions of Employment. All employees are expected to familiarise themselves with the policy and to act in accordance therewith at all times. The Company has no authority to directly discipline contractors who contravene this policy by discriminating or harassing employees of the Company; the Company can refer such matters to the employer of the contractor.

### IV. DEFINITION OF SEXUAL HARASSMENT

Under the Sexual Harassment Act, "sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:

- (i) Physical contact and advances; or
- (ii) A demand or request for sexual favours; or
- (iii) Making sexually coloured remarks; or
- (iv) Showing pornography; or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

### V. BEHAVIOR CONSTITUTING SEXUAL HARASSMENT

The following circumstances, among other circumstances, if they occur or are present in relation to or connected with any act or behaviour of sexual harassment, may amount to sexual harassment of a woman employee:

- (i) Implied or explicit promise of preferential treatment in her employment; or
- (ii) Implied or explicit threat of detrimental treatment in her employment; or
- (iii) Implied or explicit threat about her present or future employment status; or
- (iv) Interference with her work or creating an intimidating, offensive or hostile work environment for her; or
- (v) Humiliating treatment likely to affect her health or safety.

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### VI. PROCEDURE IN CASE OF COMPLAINT

#### A. **Internal Complaints Committee**

The Company has constituted an Internal Complaints Committee ("ICC") by an order in writing, which, as required by law, is displayed at the work premises on the notice board.

#### B. **Complaint of Sexual Harassment**

- i) Any aggrieved woman employee may make, in writing, a complaint of sexual harassment at the workplace to the ICC within a period of three months from the date of the incident and in case of a series of incidents, within a period of three months from the date of the last incident.
- ii) Where such a complaint cannot be made in writing, the Presiding Officer of the ICC or any member of the ICC shall render all reasonable assistance to the woman employee for making the complaint in writing.
- iii) The ICC may, for reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such that prevented the employee from filing a complaint within the said period.
- iv) Where the aggrieved woman employee is unable to make a complaint on account of her physical or mental incapacity or death, or otherwise, her legal heir may make a complaint on her behalf.
- v) If an employee wishes to make an anonymous complaint, he/she can do so by speaking to Human Resources or a member of the Internal Complaint Committee (ICC) confidentially.

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### C. Inquiry into complaint

- i) The ICC shall proceed to inquire into the complaint in accordance with the Company's Employment rules. During the course of inquiry, where both the parties (the complainant and the respondent) are employees, the ICC shall allow them to be heard.
- ii) When investigating the complaint, the ICC shall have the power to summon and enforce the attendance of any person for examination and to call for the production of such documents as it may require.
- iii) The inquiry shall be completed within a period of 90 days.

### D. Inquiry report

- i) On completion of the inquiry, the ICC shall provide a report of its findings to the Company within ten days. It shall also make a copy of the report available to the concerned parties to enable them to make a representation against the findings before the ICC.
- ii) Where the ICC concludes that the allegation against the respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.
- iii) Where the ICC concludes that the allegation against the respondent has been proved, it shall recommend to the Company to take action for sexual harassment as 'misconduct' in accordance with the House Rules & Service Conditions of the company, resulting in disciplinary action or dismissal from service of the respondent.
- iv) The Company shall act upon the recommendation within 30 days of receipt of the same from the ICC.

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- v) Any person aggrieved by the recommendations made or by non-implementation of such recommendations may appeal, within 90 days of the recommendations, to the competent court having the requisite jurisdiction in law.

### E. **Punishment for false or malicious complaint and false evidence**

Where the ICC concludes that the allegation against the respondent is malicious or the aggrieved woman employee has made the complaint knowing it to be false, or the aggrieved woman employee has produced any forged or misleading document, it may recommend to the Company to take action against the woman employee as 'misconduct' in accordance with the House Rules & Service Conditions of the company. However, a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. For this paragraph, malicious intent on the part of the complainant shall be established after a fair inquiry before any action is recommended.

### F. **Confidentiality**

All employees are required to treat any complaints under this policy confidentially and shall discuss a complaint only to assist in the resolution of a complaint.

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