



Nayara Energy Limited

Registered Office:

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Prevention of Sexual Harassment Policy



DOCUMENT CONTROL

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1) Introduction

Nayara Energy Limited ('Nayara Energy' or 'the Company') is committed to create and ensure an enabling, dignified and equitable work environment for every employee. All the Company employees should be able to work together in an environment free from exploitation, harassment, and violence. We believe that sexual harassment is not only a criminal offense, but is a violation of human rights of any individual subjected to such harassment. According to The Protection of Human Right Act, 1993 "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India. It is necessary and expedient for employers at the workplace as well as other responsible persons or institutions to observe the statutory guidelines to ensure the prevention of sexual harassment of their employees in order to help bring gender parity by ensuring that women can work with dignity, decency and due respect. Sexual harassment is termed as a violation of a woman's fundamental right of equality under Articles 14 and 15 of the Constitution of India and right to life, and to live with dignity under Article 21 of the Constitution of India. Sexual harassment is also considered as a violation of a woman's right to practice any profession or to carry on any occupation, trade or business that includes a right to a safe environment free from sexual harassment under Article 19(1) (g) of the constitution of India.

Sexual harassment is a serious manifestation of sex discrimination at the workplace and a violation of human rights as well as fundamental rights, enshrined in the Constitution of India. It is yet another form of violence against women, reflecting patriarchal mind-sets and gender-based discrimination that women experience at work. The Supreme Court of India has laid out that it is the duty of the employer or other responsible persons at the workplace or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedure for the resolution, settlement or prosecution of acts of sexual harassment by taking all necessary steps. Nayara Energy endeavours to put in place adequate measures to ensure safety, security, dignity, rights, and equality of all its employees.

Prevention of Sexual Harassment: The Law

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act) was passed by the Parliament on 22 April 2013, and the Central Government vide notification SO 3606 (E) appointed 09 December 2013 as the date on which the provisions of the POSH Act came into force and on the same day, the Central Government made the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. The POSH Act was formed based on the guidelines laid down by the Supreme Court in the landmark judgement, Vishaka and Others vs. State of Rajasthan and Others, 1997. This new legislation makes every effort to be a user-friendly constitutional tool in the hands of the employers and employees, to create healthy and safe workplaces and safeguard the vision of Vishaka guidelines, one reaffirmed by the Justice Verma Committee (2013). It provides for protection to women at the workplace from any form of sexual harassment and for redressal of any complaints initiated by them.

Refer to the complete POSH Act as published by the government here - <https://www.india.gov.in/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013>

2) Definitions

For the purposes of the Prevention of Sexual Harassment Policy (Policy), the following definitions shall be applicable:

- a) **Act means** - the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
- b) **Aggrieved Person means** - an Aggrieved Person, in relation to a Workplace, is a person, of any age, whether an employee or not, who alleges to have been subjected to any act of Sexual Harassment at the Workplace. A person who makes a complaint or on whose behalf a complaint is made of Sexual Harassment at Workplace in accordance with this Policy.
- c) **Aggrieved Women means** - a female Aggrieved Person.
- d) **Appellate Authority means** –
- i) in case of an Aggrieved Woman, Appellate Authority notified under Section 2 (a) of the Industrial Employment (Standing Orders) Act, 1946.
 - ii) in case of CEO/Senior Management/Management Committee members/any Directors on the board of directors of Nayara Energy (not being an Aggrieved Woman), any senior advocate, institution or body of individuals appointed by Nomination and Remuneration Committee of the Company.
 - iii) in case of any other person, the Board of Directors of Nayara Energy Limited.
- e) **Company means** – Nayara Energy Limited.
- f) **Defendant means** - a person against whom an Aggrieved Person files a complaint.
- g) **Employee means** - any individual employed by Nayara Energy for any work on regular, temporary, ad hoc or daily wages basis, either directly or through an agent, including a contractor, with or, without the knowledge of the employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice, consultant or called by any other such name.
- h) **Employer means**
- i) in case of the Employee (not being CEO/Senior Management/Management Committee member/any Director on the board of directors of Nayara Energy Limited), it means the CEO of Nayara Energy Limited and in his absence any other person (officer) of Nayara Energy Limited having powers/authority to carry out the recommendations of the Internal Committee.
 - ii) in case of CEO/Senior Management/Management Committee members/any Directors on the board of directors of Nayara Energy, Employer means the Board of Director.
- The definition of Employer used is only for the purpose of this policy.
- i) **Internal Committee or IC means** a committee nominated and constituted by Nayara Energy under Section 6 of this Policy.
- j) **IC Member means** the member of the Internal Committee.
- k) **Relevant Jurisdiction means** - the law applicable to the establishment for which the IC has been constituted.
- l) **Sexual Harassment means** - any one or more of the following unwelcome acts or behaviour (whether direct or by implication) such as:

- i) physical contact and advances
- ii) a demand or request for sexual favours
- iii) sexually coloured remarks
- iv) showing pornography or illicit content
- v) any other unwelcome sexually determined physical, verbal or non-verbal conduct of sexual nature.

Explanation: So far an Aggrieved Woman is concerned, in determining whether or not the behavior or act complained of is unwelcome, one of the factors to be given due weight shall be the subjective perception of the Aggrieved Woman.

In all other cases, the test of whether or not the behavior or act complained of is unwelcome will be that of an ordinary prudent person.

m) **Senior Management means** - the following Business Heads and Corporate Function Heads who conduct the day to day management of the Company's operations and functions:

- i) Director & Head of Refinery
- ii) Chief Marketing Officer
- iii) Chief Commercial Officer
- iv) Chief Financial Officer
- v) Chief Development Officer
- vi) Company Secretary
- vii) Chief People Officer
- viii) Chief Information Officer
- ix) Chief Internal Audit Officer
- x) Head Procurement
- xi) Chief Compliance & Risk Officer

n) **Workplace means** - in relation to an Employee, any place where an Employee visits in connection with work during the course of or arising out of employment including transportation provided by the Employer for commuting to and from the place of employment.

3) Objective and Scope of the Policy

a) Objective of the Policy

- i) The purpose of this Policy is to promote a Workplace free from Sexual Harassment, by preventing and minimizing Sexual Harassment at Workplace and to provide a just, fair and effective process to redress and resolve the issues of Sexual Harassment in a time-bound manner.
- ii) This Policy specifically aims:
 - (1) to put in place a mechanism for preventing, prohibition and redressal of Sexual Harassment at Workplace.

- (2) to create an environment, which is secure and free from sexual harassment for Employees of all genders.
 - (3) to ensure that no gender-based discrimination take places which hinders an Employee’s progress and to ensure equal opportunities for everyone.
 - (4) to promote a healthy work environment in which both men and women can work as colleagues and develop to their fullest potential.
- iii) In case of any doubts as to the interpretation of this policy, the IC may take a call and provide clarification on request.

b) Scope of the Policy

Notwithstanding anything contained in the Disciplinary Policy, this Policy extends to all the Employees of Nayara Energy situated in India or outside India and is deemed to be incorporated in the service/employment conditions of all the Employees.

This Policy is in addition to any legislation for the time being in force prevailing in the Relevant Jurisdiction. If any provision contained in this Policy conflicts with any provision of any law for the time being in force in the Relevant Jurisdiction, the provisions contained in the said law shall have precedence over the Policy to the extent of the conflict.

An action under this Policy will be initiated in cases where an Employee, inside or outside the office, subjects any of the Aggrieved Person to Sexual Harassment.

Any misconduct, not being a Sexual Harassment shall be dealt with in accordance with the Disciplinary Policy. Nayara Energy shall endeavour and take all reasonable steps to ensure the safety of its Employees at Workplace in respect of duties/activities that they perform in connection with their work.

4) What constitutes Sexual Harassment

Without prejudice to and without limiting the definition of Sexual Harassment in this Policy or the Act. Sexual Harassment behaviour shall include, but not be limited to the following instances:

Where submission to or rejection of sexual advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions or for grant of benefits, or

Such advances, requests or conduct (whether direct or implied) has the purpose or effect of interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by any Employee for sexual favours in exchange for benefits given to another Employee, actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits, or continued employment constitutes Sexual Harassment.

The following circumstances, amongst others, if present in any act or behavior of a sexual nature may amount to Sexual Harassment:

- a) implied or explicit promise of preferential treatment in the employment; or
- b) implied or explicit threat of detrimental treatment in the employment; or

- c) implied or explicit threat about the present or future employment status; or
- d) interfering with the work or creating an intimidating or offensive or hostile work environment; or
- e) humiliating treatment likely to affect the health or safety of the Aggrieved Person.

The legal definition of Sexual Harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, when that is unwelcome and where any Employee has a reasonable apprehension that the conduct has the effect of creating a Workplace environment that is hostile, offensive, intimidating, or humiliating to Employee may also constitute Sexual Harassment.

5) Duties of Employer

Nayara Energy shall:

- a) endeavour to provide a safe working environment at Workplace that shall include safety from any person coming into contact at the Workplace.
- b) constitute an Internal Committee (IC) to address cases pertaining to Sexual Harassment.
- c) display at any conspicuous place in the Workplace, the penal consequences of Sexual Harassment and the order constituting the IC.
- d) organize workshops and awareness programs at regular intervals for sensitizing the Employees with the provisions of this Policy and orientation programs for the IC members.
- e) provide necessary facilities and assistance to the IC for dealing with the complaint and conducting an inquiry.
- f) assist in securing the attendance of Defendants and witnesses before the IC.
- g) make available such information to the IC, as may be required about the complaint made.
- h) assist the Aggrieved Person if he/she chooses to file a complaint for the offense under Indian Penal Code or under any other law.
- i) cause to initiate action under the Indian Penal Code or under any other law against the perpetrator who is not the Employee in the Workplace at which the incident of Sexual Harassment took place, if the Aggrieved Person so desires.
- j) treat Sexual Harassment as the gravest misconduct.
- k) monitor the timely submission of reports by the IC and provide information in the annual report regarding the number of Sexual Harassment cases filed, pending and disposed of during the year. Please refer Annexure 1 for timelines to be adhered by IC and Employer.

6) Internal Committee

Nayara Energy shall constitute a committee to be known as the Internal Committee (IC) for its Workplace in each of its offices to address cases pertaining to Sexual Harassment. The CEO of Nayara Energy shall make the appointment of the IC members.

The IC shall be empowered to carry out the mandate of the Policy. The Committee will be empowered to receive complaints, attempt informal resolution through mediation, conduct formal inquiries and recommend appropriate actions for redressal and punishment.

- a) **Constitution of the IC**

- i) Nayara Energy will constitute 5 ICs in the following locations:
 - (1) IC - Refinery Complex and Oil Terminal Operations
 - (2) IC - Mumbai for cases pertaining to Offices located in West Zone
 - (3) IC - Delhi for cases pertaining to Offices located in North Zone
 - (4) IC - Chennai for cases pertaining to Offices located in South Zone
 - (5) IC - Kolkata for cases pertaining to Offices located in East & Northeast Zones.

- ii) The IC shall consist of the following members to be nominated by the Employer, namely:
 - (1) Presiding Officer who shall be a woman employed at a senior level at Workplace from amongst the Employees.
 - (2) Not less than two Internal Members from amongst the Employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
 - (3) One External Member from amongst Non-Governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment.

- iii) A minimum of three Members of the IC, including the Presiding Officer shall be present for conducting any inquiry.

- iv) Senior most female member of the IC shall be the Chairwoman / Presiding Officer of the IC. In her absence IC shall choose its PO who shall be a female member of the IC.

- v) The Presiding Officer and every IC Member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the Employer. Thereafter, new appointments shall have to be made by the Employer.

- vi) The Member appointed from amongst the Non-Governmental organizations or associations shall be paid such fees or allowances for holding the proceedings of the IC, by the Employer, as may be prescribed.

- vii) At least half the total members of the IC have to be women.

- viii) The IC Members shall be provided with necessary training inputs to handle such issues effectively and with the required sensitivity and concern, if deemed necessary.

- ix) An IC Member shall cease to hold membership should any one of the following conditions arise:
 - (1) Upon she/he ceases to be an Employee of Nayara Energy.
 - (2) Any IC Member remains absent without permission of the PO for more than three consecutive meetings.
 - (3) Any IC Member who is an Aggrieved Person.
 - (4) Any IC member against whom a complaint of Sexual Harassment, violation of Nayara Energy's Ethics Code or criminal charges are made and prima facie established.

- (5) An IC member has so abused his position as to render his continuance in office prejudicial to the public interest.
- x) In the event of any vacancy on the IC due to resignation, termination, or for any other reason whatsoever, the same shall (within a period of three months of such vacancy) be filled in accordance with the procedures prescribed by this Policy.
 - xi) In the event where any IC member has a conflict of interest either being an Aggrieved Person or a Defendant, then his membership will be deemed to be suspended during the inquiry and submission of recommended action on the complaint. All IC Members, from the time they enter into and throughout the inquiry proceedings, shall immediately, disclose to the Complainant and the Defendant in writing any circumstances likely to give rise to justifiable doubt as to their independence or impartiality.
 - xii) In each of the cases above mentioned, the IC shall be reconstituted without such member, for the purpose of that particular inquiry.
 - xiii) All meetings of the IC shall take place as and where is mutually agreed by the members.
 - xiv) The names and contact details of all IC members shall be prominently displayed on the main notice board of all the Company offices.
- b) Duties and responsibilities of IC**
- i) It shall be the duty of the, HR Manager/IC Members/HOD, as the case may be, who receives such a complaint, to immediately inform the Aggrieved Person of his right to initiate action in accordance with the Policy.
 - ii) Recognize that confidentiality is important and to respect the confidentiality and privacy of Aggrieved Persons or Defendants.
 - iii) If at any stage after the filing of a complaint under this Policy and during any proceedings in respect of it, the Aggrieved Person shall have the right to withdraw the complaint and the IC shall permit her/him to withdraw the complaint and if an inquiry has commenced, shall close the inquiry and submit a closure report.
 - iv) If it is brought to the notice of the IC or the IC is of the opinion that the Aggrieved Person is being pressurised or the witnesses are made to withdraw their statements or not go through with the complaint, then it shall record the same.
 - v) IC shall be empowered to do all things necessary to ensure a just and fair hearing of the Complaint including all things necessary to ensure that Aggrieved Persons or witnesses are neither victimized nor discriminated against while dealing with a complaint of Sexual Harassment. In this regard, the IC shall also have discretion to make appropriate interim recommendations vis-à-vis an Aggrieved Person or Defendant pending upon the outcome of a complaint including suspension and transfer. It would:
 - (1) ensure that procedures for registering complaints are simple, accessible and effective.
 - (2) take immediate cognizance of the complaints, conduct timely inquiries, provide redressal to the Aggrieved Person and take action against the Defendant.
 - (3) recommend appropriate follow up action and monitor the compliance.

- (4) seek legal, medical, or police assistance with the consent of the victim, as and when necessary.

7) Complaint Redressal Procedure

All procedures will be quick and confidential. The provisions of this Policy shall not restrict the powers of the Employer or the Aggrieved Person to proceed against the alleged Defendant for any other misconduct.

It is important to take action as early as possible to curtail Sexual Harassment. The Policy offers both Informal and Formal procedures to the Aggrieved Person to deal with the alleged incidences of Sexual Harassment.

a) Filing a complaint of Sexual Harassment

If any Employee at Nayara Energy believes that she/he has been subjected to Sexual Harassment, such Employee may complain to the IC either orally or in writing within 3 months from the date of the incident and in case of a series of incidents, within a period of 3 months from the date of the last incident.

A complaint may be filed by – contacting any one of the IC members or/and writing the complaint to the e-mail id setup by the Company for this purpose.

IC will also be available to discuss any concerns the Employee may have and to provide information about Nayara Energy's Policy on Prevention of Sexual Harassment and the complaint filling/redressal process. In case an Aggrieved Person complains to her/his line manager, they, in turn, will directly inform an IC member.

At all stages, it is recommended that the Aggrieved Person/s keep notes of the incidents of Sexual Harassment that occur, noting the time, date, location, people involved, details of what was said and done and the manner in which it was done/said.

At any stage during the Informal and Formal stages of the investigation procedure, the Aggrieved Person may request to be represented by another Employee of the Company.

b) A well-drafted complaint

The Complaint should ideally:

- i) Be addressed to the IC.
- ii) Contain name and contact details of the Aggrieved Person.
- iii) Be concise, i.e. it should be written in simple language that can be understood easily.
- iv) Provide details of the exact incident, date and time, witness etc.
- v) Provides circumstances preceding and following the incident.
- vi) Append as many relevant documents as possible in whatever format, i.e. e-mails, screenshots of SMS's/WhatsApp messages, call details, photographs, recordings etc.
- vii) Provide details of the Defendant, including name, designation, reporting structure between Aggrieved Person and Defendant if any (whether subordinate, colleague or superior).
- viii) Not state any fact that is false or incorrect.

ix) List the relief that is sought from the Employer.

c) **Informal procedure**

If the Aggrieved Person is willing for an informal procedure, an attempt may be made to resolve the complaint informally through an open and honest dialogue between the concerned Employee and the line manager and/or HOD of both the parties.

An informal process (discussion with both parties and mediation to resolve the issue) will be attempted within one week of receipt of the complaint by the IC.

In cases where the alleged Defendant accepts part or all of the substance of the complaint in the course of the informal process, IC may recommend appropriate disciplinary action and document the same.

In cases where the informal process has been successful in resolving the grievance, the IC will close the case and submit a report to the senior leader recommending measures to prevent the recurrence of the situation that generated the complaint.

In cases where the informal process reveals prima facie evidence of gross sexual misconduct, the IC may decide to institute a formal Inquiry even if the Aggrieved Person is satisfied with the outcomes of the informal process.

d) **Formal procedure**

In cases where the Aggrieved Person does not opt for an informal procedure or it is tried but failed to resolve the issue, a formal investigation will be instituted within fifteen days of the receipt of the original complaint. The Aggrieved Person/s can proceed directly with the formal procedure. The choice of the redressal procedure rests with the Aggrieved Person/s. If the initial complaint was made verbally, it will be taken in writing at this stage.

After discussing the case, the Aggrieved Person should put their case in writing. The Aggrieved Person will be asked to submit a written statement to the IC with details of the alleged incident/s of Sexual Harassment, with supporting evidence and names of persons who can corroborate the evidence.

e) **Inquiry process**

On receiving a complaint of Sexual Harassment, the IC will conduct a detailed inquiry into the complaint by following the process as laid out below.

- i) The inquiry into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. In carrying out its inquiry, the IC should carry out its work in a discrete and sensitive manner and all those involved should treat the matter as strictly confidential.
- ii) In the course of the inquiry of any complaint of Sexual Harassment, the IC shall ensure that the principles of natural justice are adhered to, namely:
 - (1) both parties shall be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents before the IC.

- (2) upon completion of the investigation, both parties, to the extent appropriate, will be informed of the results of that investigation.
- iii) The IC may in its discretion, proceed with the matter in the absence of either the Aggrieved Person or the Defendant or both. In case the Aggrieved Person fails to appear, it will be lawful for the IC to dismiss the complaint for non-appearance of the Aggrieved Person. If the Defendant fails to appear before the IC, it may proceed ex-part against the Defendant.
 - iv) Any order passed in the absence of the parties as above may be set aside by the IC if the absenting party shows good and sufficient grounds for his absence.
 - v) The Defendant will be informed in writing of the substance of the complaint. Depending on the nature of the complaint and the particular circumstances of the case, the Defendant will be requested to respond either in writing or orally to the IC, which will record the response (within 10 days).
 - vi) The alleged Defendant will also be asked to submit documents or other evidence in refutation of the complaint.
 - vii) In the course of inquiring the complaint, the IC will conduct personal interviews with the Aggrieved Person, the alleged Defendant and any other individuals who can provide information in support of, or in refutation of, the complaint. The Aggrieved Person and the Defendant shall be called separately to ensure freedom of expression and an atmosphere free of intimidation. The Aggrieved Person shall be entitled to be accompanied by one representative during the inquiry.
 - viii) The IC may also examine documents, including confidential files and records pertinent to the case, wherever it feels the same is necessary.
 - ix) The proceedings of the inquiry and the deliberations of the IC will be recorded both in writing and on tape.
 - x) The Aggrieved Person (or a person nominated by the Aggrieved Person as an observer) will have the right to remain present during the depositions by the alleged Defendant and witnesses. Transcripts of the depositions may be made available in cases where the Aggrieved Person chooses not to exercise the right to be present.
 - xi) In extreme circumstances, it may be appropriate to suspend the alleged Defendant (without blame) on full pay pending the outcome of the inquiry.
 - xii) Recommendation by the majority of the IC members will be accepted as the recommendation of the IC, but the IC will record dissent and differences, if any.

8) Recommendations and actions on Policy violations

At the closing of the inquiry, the IC will submit a report in writing, stating its findings and recommending the appropriate course of action. Recommendations made by IC shall be final and binding on the Employer of the Company.

The Company views any finding of Sexual Harassment a serious violation of human rights if IC concludes that the Complainant subjects to Sexual Harassment by the Employee, appropriate action will be taken against the Employee.

After completing the inquiry, where a person/s is found to have been sexually harassed by another person/s, IC shall make clear recommendations as necessary to the Employer.

The IC may recommend that, any of the following punishments, having regard to the gravity of the act of which he has been found guilty, be imposed on the Defendant.

a) **Penalties for Policy violations**

Any Employee who is found to have violated this Policy (by either sexually harassing another Employee or by falsely accusing another person of Sexual Harassment) shall be subject to appropriate disciplinary action as deemed fit by the IC. It could be either one or a combination of the actions given below:

- i) Written apology;
- ii) Warning and taking a written bond of good conduct;
- iii) Reprimand or censure;
- iv) Withholding of promotion till such period as mentioned;
- v) Withholding of a pay rise or increments of pay till such period mentioned;
- vi) Termination of service;
- vii) Undergoing counselling session;
- viii) Performing Community service;
- ix) Awarding a reasonable amount of compensation to the Aggrieved Person against the Defendant to be deducted from the salary or other dues of the Defendant or the same be paid by the Defendant to the Employee directly.

Provided further that before any penalty is taken under this clause, the Defendant shall be given an opportunity to show cause as to why the proposed action should not be taken against him.

b) **Action against outsider**

In cases where an Employee is subject to Sexual Harassment by a third party who is not an Employee coming to the Company's Workplace, this Policy mandates immediate action to protect the Aggrieved Person and to initiate action against the Defendant, either through reaching out to the IC of the Defendant's Employer or, in cases where this is not possible, through the criminal justice system.

9) **Other matters**

a) **Timelines**

- i) Written complaints along with supporting documents and names and addresses of witnesses have to be filed within 3 months of the date of the incident.
- ii) Upon receipt of the complaint, one (1) copy of the complaint is to be sent to the Defendant within seven (7) days.
- iii) Upon receipt of the copy of a complaint, the Defendant is required to reply to the complaint along with a list of supporting documents, and names and addresses of witnesses within 10 working days.

- iv) An inquiry has to be completed within a total of 90 days from the receipt of the complaint and the report of the inquiry has to be issued within 10 days from the date of completion of the inquiry.
- v) Employer is required to act on the recommendations of the IC within 60 days of receipt of the Inquiry report.
- vi) Appeal against the decision of the committee is allowed within 90 days from the date of the recommendations.

b) Report

Within ten (10) days of the completion of the inquiry, the IC shall provide a report of its findings and recommendations to the Employer along with the copy to the Aggrieved Person and Defendant.

c) Appeal

Any Aggrieved Person except CEO/Senior Management/Management Committee member/any Director on the Board of Directors of the Company from the recommendation made by the IC may prefer an appeal to the Appellate Authority.

d) Confidentiality

The contents of the complaint, the identity and addresses of the Aggrieved Person, Defendant and witnesses, any information relating to conciliation and inquiry proceedings, the recommendation of the IC, and the action taken by the Employer shall not be published, communicated or made known to the public, press and media in any manner, notwithstanding anything contained in the Right to Information Act, 2005. However, the information with respect to the outcome of an investigation, without disclosing the identity of Aggrieved Person, Respondent and Witnesses, may be disclosed for the purposes of training or legal compliances. Any person who contravenes this confidentiality provision shall be liable for disciplinary action.

e) Criminal proceedings

In case the conduct amounts to a specific offense under the Indian Penal Code or under any other law in existence, the IC may recommend to the Employer to take appropriate action in making a complaint with the appropriate authority.

Where the IC finds that the complaint filed is frivolous, the complainant shall be liable for Disciplinary Action. A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

f) Miscellaneous

- i) The proceedings under this Policy shall not be stalled or postponed merely because the Aggrieved Person is proceeding against the Defendant under any other provision of law.
- ii) The provisions of this Policy shall not restrict the powers of the Employer or the Aggrieved Person to proceed against the alleged Defendant for any other misconduct or other legal remedies.

- iii) The Policy will be reviewed from time to time and revised to keep it up to date with changes in state acts, employment policies or lessons learned. The process for review will also include consulting the Employees and seeking advice externally.
- iv) The IC will minute all its meetings and proceedings and submit quarterly reports to the Governing Board of the Company.

[Note: It may be mentioned here that any provision or procedure which may be found to be missing here; shall be restored from The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This shall remain a guiding source for the implementation of this Policy. Needless to say, that the said Act and any of its provisions shall prevail over the Policy in case of repugnancy amongst the two.]
- v) In this Policy wherever context permits singular shall mean plural and the plural shall mean singular, masculine gender shall mean feminine gender and vice-versa.
- vi) This Policy shall form an integral part of the Ethics Code of the Company and shall be read along with the Ethics Code.
- vii) This policy can be changed, modified or amended at any time by Nayara Energy's Board of Directors. However, if any difficulty arises in giving effect to the provisions of this Policy, the Management Committee may, in writing, make such provisions, as appear to it to be necessary or expedient for removing the difficulty.
- viii) The Company shall review this Policy at least once in three years and revise the same if necessary to keep pace with the changing domestic/ international laws and best of the business and enforcement practices.
- ix) The CEO shall always be authorized and competent to admit any exception to this Policy, if in his opinion, it is necessary to protect and is in furtherance of the interests of the Company. A section of this Policy shall be exempted if the CEO declares a particular section to be exempted on case-to-case basis or to a particular set of Employees. Any said deviation admitted by the CEO shall be reported to the Audit Committee by the CEO's office.
- x) Any violation of this policy shall be deemed to be a misconduct and will be dealt with in accordance with the Disciplinary policy of the Company.

Annexure 1 – Timelines for IC and Employer

Activities	Timelines
Submission of complaint	Within 3 months of the last incident
Notice to the respondent	Within 7 days of receiving copy of the complaint
Completion of inquiry	Within 90 days
Submission of report by the IC to employer	Within 10 days of completion of the inquiry
Implementation of recommendations	Within 60 days
Appeal	Within 90 days of the recommendations
IC to submit number of sexual harassment cases filed and disposed of during the year	Annually, in the annual report