



DESCO INFRATECH LIMITED

(Formerly known as Desco Infratech Private Limited)

(U45201GJ2011PLC063710)

POLICY ON PREVENTION OF SEXUAL HARASSMENT

1. Policy:

At Desco Infratech Limited (the “Company”), we believe to providing equal opportunity to every employee without any discrimination of race, gender, caste, religion, color or maternity status. We are committed to providing safest working environment for our employees so our employees can work freely without any fear. The Company is committed to provide sexual harassment free work environment to employees.

This Policy takes complete cognizance of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” of India (hereinafter referred to as the “PoSH Act”) and the rules framed thereunder. This Act is to provide protection against Sexual Harassment of women at the Workplace for the prevention and redressal of complaints of Sexual Harassment and for the matters connected therewith or incidental thereto.

2. Requirements and Scope:

The Company has adopted this policy on anti-sexual harassment to comply with the requirements of the provisions of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This act has come into force to protect the women against the sexual harassment at workplace and prevention and redressal of complaints of sexual harassment and matters ancillary and incidental thereto however, company adopts a gender-neutral internal approach. This Policy is restricted to followings places for all the Aggrieved Person:

- At all business locations of the Company i.e. at Corporate Office, Branch Office, Plant, etc.
- Any other external location which is visited by the employees for Company’s work.
- Any mode of transport, if any, provided by the Company.
- Work from home, virtual meetings, emails, official WhatsApp or digital platforms
- Off-site meetings, training, conferences and business travel

This Policy does not cover:

1. Interactions or engagements in personal capacity, even if they started in the Workplace.
2. Any complaints that do not fall under the definition of Sexual Harassment.

In case of conflict between the terms under this Policy and the PoSH Act, the terms under PoSH Act shall prevail over the terms under this Policy. Local country laws will take precedence over this Policy in other geographies, if applicable.

3. Applicability

This Policy shall be applicable to:

1. Employees, whether full-time, part-time, temporary, ad hoc or daily wage basis, either directly or through an agent and includes contractual personnel, probationers, trainees, apprentices and interns.
2. Customers, vendors and their Employees, consultants, and anyone else doing business at the organization's Workplace or interactions arising from any work being carried out by or on behalf of the organization.
3. Anyone who is present in the Workplace such as candidates, visitors, guests, etc.

4. Definitions:

4.1. Aggrieved Person

An Aggrieved Person means in relation to a workplace, a Person, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment.

4.2. Company:

Company means DESCO INFRATECH LIMITED established under provisions of Companies Act, 1956.

4.3. Complainant:

A complainant means any person who make a complaint alleging Sexual Harassment under this policy.

4.3. Employee:

An employee means a person employed at workplace for any work on 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 employer, whether for remuneration or not, or working on voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name

4.4. Sexual Harassment:

Sexual Harassment included any one or more of the following unwelcome acts or behavior (Whether directly or implication) namely: -

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

4.5. Respondent:

A Respondent means the person against whom charges or complaint has been made or lodging.

4.6. Workplace:

Workplace includes;

- (i) Offices, Premises, branches, Plants, units, locations or institutes which is established, owned and controlled by the Company.
- (ii) Any of the places which is visited by the employee for the Company's work or any of the work which has been handed over to her including Transport facilities which are provided by the Company including WFH, virtual meetings, emails, official WhatsApp, digital platforms, off-site events

5. Complaint Redressal Committee/ Internal Complaints Committee:

As per the requirement of provisions of Sec 4 “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Company has constituted Internal Complaints Committee for protecting, prevention and redressal of sexual harassment of person. The constitution of Internal Complaints Committee is as below:

- Ms. Muskan Khandal – Chairperson / Presiding officer
- Mr. Rushabh Atulbhai Mashkaria – Member
- Ms. Rashmi Choudhary – Member
- Ms. Maitri Pratikkumar Vyas – External Member

The Committee shall be responsible for:

1. Receiving complaints of Sexual Harassment at the Workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the Employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

Tenure of ICC Members: not exceeding three (3) years.

The Company shall:

- Conduct periodic PoSH awareness programs
- Train ICC members
- Display PoSH policy and ICC details at workplace

6. Redressal Process:

- 6.1. Any aggrieved person can make a complaint in writing, a complaint of Sexual Harassment to the Internal Complaints Committee (ICC), within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident. Provided where such complain cannot be made in writing, the Presiding officer or any member of the Internal Complaints Committee, as the case shall render all reasonable assistance to the aggrieved person for making the complaint in writing. The ICC may extend the time limit to further three months, if aggrieved person requested in writing to the ICC and satisfied that the circumstances were such which prevented the aggrieved person from filing a complaint within the said period.

6.2. When aggrieved person is unable to make a complaint on account of his / her physical or mental incapacity or death or otherwise then following person can lodge complaint on behalf of his / her:

- their legal heir
- their friends/ relatives
- any other person who has knowledge of the incident, with the consent of an aggrieved person
- any officer of the National or State Women Commission

6.3. An aggrieved person can lodge complaint in writing as per Annexure 1 to this policy. After filing the required details an aggrieved person can submit the complaint to member of ICC or representative of particular location or can submit electronically by sending e-mail on posh@descoinfra.co.in. The Complainant shall submit copy of the complaint along with supporting documents and details of the alleged incident(s), the name of the Respondent and names and addresses of the witnesses, if any.

6.4. The committee will maintain records of the complaints received and keep the identity of complainant confidential.

6.5. The Committee shall hold meeting and start inquiry into the complaint within Seven days from the receipt of complaint. At the first meeting Committee members will hear the Complainant and record their allegations. The Complainant can also submit supporting evidence regarding their complaint to the Committee.

6.6. After recording statement of Complainant Committee will call the person against whom complaint is made and opportunity of being heard is being given to the respondent.

6.7. After hearing both the Complainant and Respondent if the complaint has been proven then the action shall be taken against the Respondent.

6.8. INTERIM RELIEF (SECTION 12):

- During pendency of inquiry, the ICC may recommend to the employer
- Transfer of the aggrieved woman or respondent
- Grant of leave up to three months
- Any other appropriate relief
- Such relief shall be implemented immediately by the employer.

Conciliation

While an Aggrieved person has a right to raise a Sexual Harassment issue and get the matter investigated till its resolution, if for any reason, the Aggrieved person decides to withdraw the complaint/requests for settlement, the same shall be considered in accordance with the provisions of the law and dealt with as follows:

- The Internal Committee may before initiating the investigation and at the request of the Aggrieved Person take steps to settle the matter between such Aggrieved person and the Respondent through conciliation.
- No monetary settlement shall be made as a basis of conciliation.
- Where a settlement has been arrived at, the Internal Committee shall record the settlement so arrived and forward the same along with recommended action to the organization. No further investigation shall be conducted.
- The Internal Committee shall provide copies of the settlement as recorded by the Committee to the Aggrieved Person and the Respondent.

6. Inquiry:

- 6.1. After receiving complaints and recording statement and evidence from the Complainant, Committee would start inquiry and communicate the same to the person against whom the complaint is lodge.
- 6.2. Copy of the allegations shall be forwarded to the person against whom complaint is made.
- 6.3. The Complainant or the person against whom complaint is made if desires to call any witness in the particular case, then they can request the same to the Committee in writing.
- 6.4. The Complainant or the person against whom complaint is made wishes or desires to place any documentary evidence in the case then they have to provide original copy of the said document to the Committee.

- 6.5. The Committee shall call upon the witness as requested by the complainant and respondent.
- 6.6. During the inquiry, Committee shall keep in view that reasonable opportunity of being heard is given to both the parties, i.e. complainant and the person against whom the complaint is made.
- 6.7. Committee shall complete the inquiry within the period of three months and submit its report and recommendation to the Head HR of Desco Infratech Limited within ten days of completion of inquiry. Inquiry reports shall also be communicated to both complainant and the person against whom complaint is made.
- 6.8. Head HR will take necessary actions as recommended by the Committee or as per the guidelines issued by the Supreme Court of India or as per the provisions of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Inquiry Report

The Internal Committee will submit the inquiry report to management within a period of ten days from the date of completion of the inquiry in consideration of the following –

- Nature of evidence in support of the allegation;
- Leading circumstances culminating in Sexual Harassment;
- Discrepancies, if any, in the allegations and the submission made by the victim and his/ her witnesses;
- Grounds for review or counter allegations/ evidence from the Respondent.
- The Employer shall act upon the recommendations of the Internal Committee within sixty days of receipt of the final investigation report.

7. Appeals

- 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, within ninety days of the recommendations being communicated.

8. Record keeping system

Establishing a robust record-keeping system is essential for documenting complaints, inquiry, and outcomes related to Sexual Harassment cases. The organization shall ensure the following:

- 8.1. **Comprehensive documentation:** All complaints received, inquiry conducted, and outcomes determined are meticulously documented. This includes recording dates, details of the parties involved, evidence gathered, and the decisions made.
- 8.2. **Confidentiality:** In accordance with Section 16 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the following information shall not be published, communicated or made known to the public, press or media in any manner:
 - a) the identity and address of the aggrieved person, respondent or witnesses;
 - b) the contents of the complaint;
 - c) information relating to conciliation and inquiry proceedings;
 - d) recommendations of the Internal Committee; and
 - e) the action taken by the employer under the Act.

The above information may be disclosed only where such disclosure is required under law, or where such disclosure is necessary for the purpose of implementation of the Act, without revealing the identity of the aggrieved person, respondent or witnesses.

Any person entrusted with the duty to handle or deal with the complaint or inquiry proceedings and who breaches confidentiality shall be liable for disciplinary action in accordance with the Company's service rules, in addition to any action prescribed under the POSH Act.

- 8.3. **Compliance and retention:** Record-keeping practices shall comply with relevant laws and regulations. Records shall be retained for the duration required by law and policy and will be disposed of securely once they are no longer needed.
- 8.4. **Transparency and accountability:** The system shall facilitate transparency in the process while maintaining confidentiality. It shall also support accountability by providing a clear trail of actions taken in response to each complaint.

9. Consequences of Violations of Policy

The organization is committed to maintaining a Workplace that is free from Sexual Harassment. Any violation of this policy will be treated with the utmost seriousness and may result in significant consequences. The following outlines potential consequences for violations of the Sexual Harassment policy:

9.1. Disciplinary Action

- **Verbal or Written Warning:** Depending on the severity and frequency of the violation, the individual may receive a formal warning. This warning will be documented and retained in the individual's personnel file.
- **Suspension:** The individual may be suspended without pay for a specified period. Suspension serves as a serious warning and an opportunity for reflection and behaviour correction.
- **Demotion:** In cases where the individual holds a position of authority, demotion to a lower rank or reduction in responsibilities may occur.

9.2. Termination of Employment

- **Immediate Termination:** In cases of severe violations or repeated offenses, the organization may terminate the individual's employment immediately. This will be done in accordance with applicable employment laws and the organization's procedures.

9.3. Legal Consequences

- **Legal Action:** The organization reserves the right to report the violation to relevant authorities if it constitutes a criminal offense. The individual may face civil or criminal charges, depending on the nature of the violation.
- **Liability for Damages:** If the violation results in harm to the Complainant or the organization, the individual may be held liable for damages. This could include compensatory and punitive damages, as well as legal fees.

10. Malicious allegations

Where the Internal Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant has made the complaint knowing it to be false or has produced any forged or misleading document, it may recommend to the company/organization to act against the Complainant.

While deciding malicious intent, the Committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

In case a witness has given false evidence or produced any forged or misleading document during the inquiry, the Committee may recommend to the organization to act against the witness.

11. Retaliation Protection

The Company strictly prohibits any form of **retaliation** against any person who, in good faith:

- files a complaint of sexual harassment;
- participates in an inquiry process as a complainant, respondent or witness; or
- assists the Internal Committee in the investigation or resolution of a complaint.

Retaliation includes, but is not limited to:

- termination of employment;
- demotion, transfer or change in job responsibilities;
- reduction in salary or denial of benefits;
- intimidation, threats, coercion or harassment;
- adverse performance evaluation;
- discrimination or creation of a hostile work environment.

Any act of retaliation shall be treated as a serious misconduct and shall invite strict disciplinary action, independent of the outcome of the sexual harassment complaint.

The Company assures that raising a complaint or cooperating in an inquiry shall not result in any adverse consequences, provided the complaint is made in good faith.

Any employee who believes that they are being subjected to retaliation may report the same to the Internal Committee or the Management, and such complaint shall be dealt with promptly and confidentially.

12. Penal Provisions:

- 12.1.** If the Committee finds that Complaint which is made is under the purview of Indian Penal Code, then Committee will record the said fact in its report and management of the Company will lodge the Police Complaint in this regard for further proceeding.

12.2. ICC Committee may recommend the disciplinary action under The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 against the person against whom the complaint is made, if the said person is found guilty in the proceeding. Apart from this, Management of the Company may take additional actions as may arise under the Indian Penal Code.

12.3. Section 354A of the Indian Penal Code (IPC) deals with Sexual Harassment. Any case falls under this section is cognizable offence that means police officer can arrest the accused person without a warrant and start inquiry into the case.

Any man commits any of the following acts shall be guilty of Sexual Harassment.

- 12.3.1. Physical contact and advances involving unwelcome and explicit sexual overtures or
- 12.3.2. A demand or request for sexual favors or
- 12.3.3. Showing pornography against the will of a women of
- 12.3.4. Making sexually colored remarks

Any man who commits offence of Sexual Harassment as described aforesaid in clause (i) or clause (ii) or clause (iii) and found guilty for the same shall be punished with rigorous imprisonment for a term which may extended to three years, or with fine, or both under the privileged law.

Any man who commits offence of Sexual Harassment as described aforesaid in clause (iv) shall be punishable with imprisonment of which may extended to one year, or with fine, or with both under the privileged law.

Apart from above, acts of Sexual Harassment may also constitute other offences under IPC including Section 354 (assault or criminal force to women with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, restore or act intended to insult the modesty of a women).

13. Annual Compliance:

The Company shall give the details of the Number of complaints received during the year, Number of complaints disposed of, Number of cases pending for more than 90 days, Nature of action taken by employer, Details of awareness / training programs conducted in their Annual Report to the Employer and District Officer on or before 31st January of the following year.

(This Policy is approved by the Board of Directors at its meeting held on April 09, 2025)

ANNEXURE - I

To

The Presiding Officer
Internal Complaints Committee (ICC)
DESCO INFRATECH LIMITED
A-703, SWASTIK UNIVERSAL, NEXT
TO VALENTINE THEATRE, DUMAS ROAD,
UMRA, SURAT-395007, GUJARAT, INDIA

Subject: Complaint of Sexual Harassment at Workplace under the POSH Act, 2013

1. Details of the Complainant (Aggrieved Person)

- Full Name: _____
- Employee ID (if applicable): _____
- Designation / Department: _____
- Contact Number: _____
- Email ID: _____
- Office Location: _____

2. Details of the Respondent (Against whom complaint is made)

- Name: _____
- Designation: _____
- Department: _____
- Office Location: _____
- Relationship with complainant (if any): _____

3. Details of the Incident(s)

Please provide complete details of the incident(s):

- Date(s) of incident: _____
- Time: _____
- Place of incident: _____

Description of incident(s):

(Please describe clearly what happened, words used, actions, gestures, messages, emails, etc.)

4. Witnesses (if any)

Name	Designation	Contact details

5. Supporting Documents / Evidence (if any)

(Emails, messages, call records, screenshots, CCTV reference, etc.)

6. Relief Sought (if any)

(Transfer, leave, change of reporting manager, interim relief, etc.)

7. Whether conciliation is requested (Optional)

☐ Yes ☐ No

(Note: Monetary settlement is not permitted under the POSH Act)

Declaration

I hereby declare that the above information is true and correct to the best of my knowledge and belief. I understand that providing false or misleading information may attract action under the POSH Act, 2013.

Signature of the Complainant

Place: _____

Date: _____