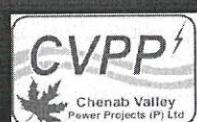
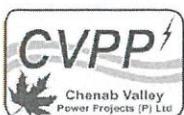


# Chenab Valley Power Projects [P] Ltd.

[A Joint Venture of NHPC Limited (A Govt of India Enterprise),  
JKSPDC (A Govt. of J&K Undertaking) and PTC India Ltd]

# Policy on sexual Harassment at the Workplace





## **CHENAB VALLEY POWER PROJECTS [P] LIMITED**

(A Joint Venture of NHPC Limited, JKSPDC and PTC India Ltd)

### **Prevention and Redressal of Grievances Relating to Sexual Harassment at the Workplace**

#### **1. Introduction:**

##### **1.1 Title of the Policy:**

This Policy shall be called the "CVPP Policy on Prevention and Redressal of Grievances Relating to Sexual Harassment at the Workplace".

##### **1.2 Background and Core Principles:**

*It is a core principle of the CVPP to ensure utmost workplace ethics and standards, including gender equality and gender justice. Every employee should be aware that while the CVPP is committed to the right to freedom of expression and association, it strongly condemns any form of discrimination, exploitation, violence and harassment, on account of gender.*

*The Supreme Court of India, in a landmark Judgment in August 1997 (Vishaka & others vs. the State of Rajasthan & others) stated that every instance of sexual harassment is a violation of "Fundamental Rights" under Articles 14, 15, and 21 of the Constitution of India, and amounts to a violation of the "Right to Freedom" under Article 19(1)(g). With the Supreme Court Guidelines, sexual harassment has come to be widely condemned as a form of human rights violation, and an infringement on the life and liberty as defined by the Constitution of India. Such behaviour is seen to transgress common dignity, gender equality and fundamental rights. It also impinges on the fundamental right to practice any profession or to carry out any occupation, trade or business which depends on the availability of a safe working environment.*

*Sexual harassment of the employees occurring at the workplace including within the workplace premises, or in other settings in which employees may find themselves in connection with their employment is unlawful and would not be tolerated at CVPP. CVPP would take allegations of sexual harassment seriously and will respond promptly to such complaints. Where it is determined that such inappropriate conduct has occurred, prompt and appropriate corrective action as is necessary, including disciplinary action, will be taken.*

*This Policy on the "Prevention and Redressal of Grievances Relating to Sexual Harassment at the Workplace" has been formulated in accordance with the Supreme Court Guidelines. The primary goal of this policy is to ensure safety and dignity of all employees by making appropriate provisions for prevention and redressal of grievances relating to sexual harassment of employees at the workplace and for matters connected therewith or incidental.*

##### **1.3 Objectives of the Policy:**

In the back drop of above, the core objectives of the Policy are to:

- 1.3.1 Reinforce the commitment to ensure a work culture and organisational climate, free from discrimination and harassment with a particular focus on gender based discrimination and sexual harassment;
- 1.3.2 Prevent or deter the commission of acts of sexual harassment at the workplace through sensitization of the staff and raising awareness;

discrimination and exploitation at the workplace;

- 1.3.4 Provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required; and
- 1.3.5 Ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and appropriate follow-up procedures.

#### **1.4 Jurisdiction and Application:**

This Policy shall apply to all the employees working in CVPP as defined under Section 2.1.1.

### **2. Policy Details**

#### **2.1 Definitions:**

For the purpose of this Policy;

- 2.1.1 **“Employee”:** means a person employed by CVPP at the workplace for any work and shall include the following:
  1. All regular employees on the rolls of CVPP.
  2. GoJK/JKSPDC Employees posted in CVPP on deputation.
  3. NHPC Employees posted in CVPP on transfer.
- 2.1.2. **“Employer”:** means the Chenab Valley Power Projects Pvt. Ltd.(hereinafter referred to as "CVPP")
- 2.1.3 **“Accused”:** means any employee who has allegedly committed any act of sexual harassment i.e. an employee against whom the complaint has been made. Alternatively, the term "accused" has also been used against an employee against whom the complaint of misconduct of sexual harassment has been made or is under investigation.
- 2.1.4 **“Complainant”:** means any employee against whom any act of sexual harassment alleged to have been committed. Any victim of alleged sexual harassment who has filed a complaint with the Complaints Committee constituted by the CVPP, has been referred to as "Complainant".
- 2.1.5 **“Work Place”:** means office premises (including parking space) or space or work station to all spheres/ setting that remain in contact with employees. This shall further include field trips, site visits, conferences, trainings, get-togethers and other such official events during the specified office working hours or after the working hours.

#### **2.2 Legal Definition of Sexual Harassment:**

- 2.2.1 The Supreme Court has defined the term sexual harassment in the ease of Vishaka and others V/s State of Rajasthan as under:

"Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

- a. Physical contact and advances;
- b. A demand or request for sexual favours;
- c. Sexually-coloured remarks;

- d. Showing pornography;
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

### **2.2.2 Explanation**

Apart from above following acts shall also constitutes for Sexual Harassment

- i. For the purpose of Clause 2.2.1 (e) "Any unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions" would include, but not limited to:
  - a) Unwelcome sexual advances or propositions, whether they involve physical touching or not;
  - b) Sexual epithets , written or oral references to sexual conduct, gossip regarding one's sex and personal life; comments on clothing and/or individual's body; comments about an individual's sexual activity, deficiencies or prowess;
  - c) Unwelcome sexual comments including severe or pervasive repeated sexual comments, innuendoes, gestures and suggestive or insulting comments;
  - d) Use of lewd, foul, off-colour, sexually oriented language or "dirty" jokes with sexual implications;
  - e) Unwelcome leering, whistling, touching, stroking someone's hair, brushing against another's body, pinching, patting, rubbing, grabbing, groping, kissing or fondling another person;
  - f) Displaying sexually suggestive or explicit objects, posters, pictures, photographs, calendars, cartoons, screen savers or one's own body parts;
  - g) Direct or implied enquiries into one's sexual experiences;
  - h) Transmission of sexually offensive e-mail, voicemail, or instant or text messages;
  - i) Unwelcome repeated requests for dates or outings;
  - j) Gender based insults or sexist remarks;
  - k) Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like;
  - l) Forcible physical touch or molestation and physical confinement against one's will.
- ii. Abuse of authority: Demand by a person in authority, for sexual favours in exchange for giving or withholding work related benefits, would constitute sexual harassment and would include, but not limited to:
  - a. Direct or implied requests by any staff for sexual favours in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits, facilitating or impeding transfers or continued employment, constitute sexual harassment. This includes any implied or overt promise of preferential treatment in employment;
  - b. Implied or over threat of detrimental treatment in employment;
  - c. Implied or overt threat about the present or future employment status; and
  - d. Submission to, or rejection of, such conduct by an individual which affects the conditions and/or decisions of employment or the individual 's employment itself.
- iii. Other sexually oriented advances, requests, conduct or behaviour whether it is intended or not, that is unwelcome and has the purpose or effect of interfering with an individual's work performance by creating an intimidating, hostile humiliating or sexually offensive work environment, may also constitute sexual harassment.

- iv. Sexual Harassment shall also include any act or conduct by a person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise i.e. making the environment at the work place hostile or intimidating to a person belonging to the other sex, only on the ground of sex.
- v. The behaviour need not be intentional in order to be considered sexual harassment. All harassment is offensive and in many cases, it intimidates other. The Supreme Court Judgement states that where any of these acts is committed in circumstances

### **2.3 Preventive Action:**

The Supreme Court Guidelines make it mandatory for all employers or persons in charge of the workplace, whether in the public or private sector, to take appropriate steps prevent sexual harassment. Consistent with the Supreme Court Guidelines and objectives of this Policy, CVPP shall take all reasonable steps to ensure prevention of sexual harassment at the work place. The preventive measures shall include:

- 2.3.1 **Responsibility:** It shall be the duty and responsibility of every location/establishment head (Corporate Office / Project) to ensure prevention and deterrence of commission of acts of Sexual harassment and communicate the procedures for resolution, settlement or prosecution of acts of sexual harassment as outlined in this Policy and in accordance with the CVPP employees Conduct, Discipline & Appeal (CDA) Rules.
- 2.3.2 **Inclusion in Existing Code of Conduct of CVPP:** CVPP shall ensure that the rules and regulations related to sexual harassment at the workplace included in the CDA Rules of CVPP are reviewed from time to time, and amendments wherever necessary, are carried out.
- 2.3.3 **Creation of a Healthy and Safe Working Climate for All:** Appropriate measures would be undertaken to create healthy, respectable and safe work conditions for all in order to further ensure that there is no hostile environment towards any employee at the workplace and no employee should have reasonable grounds to believe they are disadvantaged in connection with their employment due to their sex.

### **2.4. Constitution of the Complaints Committee:**

- 2.4.1 CVPP shall ensure constitution of the Complaints Committees in its Corporate Office / Projects for appropriate redressal of the sexual Harassment complaints and accordingly a committee with following composition shall be formed:

1. Chairman.
2. Member-HR cum Secretary
3. Representative Female Employees cum Nodal Officer.
4. Representative Female Employees.

- 2.4.2 Following guidelines shall be adhered to for nominating the members to the Complaints Committee:
  - The Head/Chairman of each Complaints Committee will preferably be a woman, at a senior position. However, due to non-availability of senior level woman, a senior officer may be nominated;
  - Women would constitute 50% of its membership i.e. half of the members of each Complaints Committee would be women. Amongst the members of each Complaints Committee, representation may be given to each category of employees as far as possible;
  - In selection of the Complaints Committees members, it shall be ensured that all members understand and are sensitive to the issue of sexual harassment of working women. If necessary on account of inadequate strength of women employees, one or two male

members may be nominated.

2.4.3 The Complaint committee constituted at Corporate Office shall be termed as Corporate Office Complaints Committee (COCC).

**2.4.4 Key Functions and responsibilities of the Complaints Committee**

1. To receive written complaint from the complainant(s).
2. To summon the complainant and the accused or witness(es) where applicable.
3. To analyze and evaluate the complaint on the basis of the information gathered.
4. To forward the findings of the Committee to the Controlling Officer of the 'Accused' and the HR department, if found guilty of the act, for apposite disciplinary action and reprimand.
5. If the Committee finds that the complaint was false and frivolous, the Committee will forward the findings to the Controlling Officer of the 'Complainant' for apposite disciplinary action.
6. The Committee to recommend measures that will prevent the recurrence of such incidents.
7. The committee will be responsible for acting promptly and for completion of the entire process of investigation and submission of report in not more than fifteen (15) working days from the date of receipt of the complaint.
8. The 'Complaints Committee' to submit its annual report to the MD (CVPP), for the complaints received and action taken thereon. The 'Complaints Committee' to submit its annual report even if no complaint(s) is/are received during the year.

**2.5 Procedure for Filing Complaints:**

- i. Any employee who has been a victim of sexual harassment and wishes to file a complaint (hereinafter referred to as the "Complainant"), can file a written complaint with the respective Complaints Committee in whose jurisdiction the complainant belongs, preferably within 15 days of the occurrence of such an event, though the delay in filing a complaint shall not be held against the complainant. The complaint can be filed through any of the channels mentioned below:
  - a. Through electronic communication, by sending e mail to Nodal Officer and /or Chairman of Committee;
  - b. Through regular mail/post, by addressing the complaint to "The 'Chairman Complaints Committee,'";
  - c. In person/by hand to Nodal Officer of the respective Complaints Committee;
  - d. In case of Projects, a copy of the complaint may be sent directly to COCC / or to any of the members preferably to Nodal Officer.
- ii. In case a complainant, at a place other than Corporate Office, for any reason such as to maintain confidentiality or any other, does not wish to file the complaint with its respective Complaints Committee, *the complaint can be filed directly with the Chairman, COCC* through any of the channels mentioned above *but duly* highlighting the reason thereof.
- iii. Apart from the above defined authorities for complaint submission if the complaint is submitted to any other external forum / authority, whether in writing or otherwise (subject to availability of substantial proof), then the complainant is liable to face the disciplinary action in terms of CVPP CDA Rules.

**2.6 Inquiry into the Complaints and Disciplinary Action:**

**2.6.1 Procedures for Enquiry into the Complaint:**

The investigation on the complaints of sexual harassment at the work place would be undertaken by the respective Complaints Committee. The Complaints Committee shall hold the enquiry, as far as practicable, in accordance with the procedures laid down here under:

- i. The Complaints Committees shall take immediate action to enquire into the complaint received discreetly;
- ii. The Complaints Committee would strive to complete the enquiry in the shortest possible time, not exceeding ninety days (three months) from the date of receiving the compliant. If not, the Complaints Committee shall provide the reasons for the same in writing;
- iii. The Chairman of the Complaints Committee shall, within one week of the date of receipt of the complaint through any of the channels convene the meeting of the Complaints Committee to investigate the complaint. The investigation into a complaint shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances;
- iv. All meetings of the Complaints Committee shall be fixed by the Chairman through mutual consultation among the members. During an enquiry, the quorum for all Complaints Committee meetings shall be 50% of the total membership, while the presence of Chairman and at least one (01) female member in each meeting shall be mandatory;
- v. The Complaints Committee shall ask the complainant to prepare a detailed statement of incidents, if written complaint submitted is found to be sketchy or unclear assistance by any of the Complaints Committee members can be provided to the complainant to help in re-writing the complaint;
- vi. The Complaints Committee, on the basis of the detailed written complaint received and interaction with the complainant shall establish a *prima facie* case of sexual harassment in writing. Reasons for not pursuing a complaint must be recorded in the minutes and made available to the complainant in writing and to the Disciplinary Authority (DA);
- vii. The employee accused of the alleged sexual harassment should be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action or outside influence will be tolerated. Based on the detailed report received, a statement of alleged allegations shall be drawn up by the Complaints Committee and sent to the concerned Disciplinary Authority for approval and issue of a formal charge sheet for a major penalty, with directions to the defendant (Charged Officer) to submit his defence statement within 10 days to the respective DA. Once a formal charge sheet has been issued by the DA, the defendant will be entitled to all the facilities which are admissible to the Charged Officers under CDA Rules and other applicable rules. In case the charges are not admitted unconditionally or no response is received within ten days, the designated DA will issue a formal order appointing the same Complaints Committee as the "Inquiring Authority" or may constitute another Complaints Committee as per the procedure outlined in case in the interest of justice and fair play or any other technical reason, it becomes necessary to constitute a different Complaints Committee to formally inquire into the complaint. It also must be ensured that the Chairperson of the Complaints Committee functioning as the "Inquiring Authority" is higher in rank than the Charged Officer/defendant and that the formal inquiry proceedings into sexual harassment charges will be conducted only by the Complaint committee as it is deemed to be 'The Inquiring Authority' in such cases as per Government regulations;
- viii. The Complainant, the defendant as well as other involved parties if any, initially shall be questioned separately with a view to ascertain the facts of their contentions. The Complaints Committee shall provide reasonable opportunity to the complainant and the defendant for presenting and defending her/his case. The Complaints Committee may ask the complainant and defendant to provide a list of any witnesses if they so desire, other than the ones included in the charge sheet;
- ix. If the female complainant conveys discomfort in presence of any male members, presence of only female members of the Complaints Committee shall be ensured during recording the statement and any questioning thereafter. In such an event, other members of the Complaints Committee would be subsequently informed about the details of statement and subsequent questioning;

- x. If required, the person(s) who has been named as a witness may be called to provide the necessary information to assist in the investigation. The Complaints Committee may call any other person to appear as a witness if it is of the opinion that it shall be in the interest of justice;
- xi. The Complaints Committee shall have the power to summon any official papers or documents pertaining to the complainant as well as the defendant;
- xii. The Complaints Committee may consider as relevant any earlier complaints against the defendant as well as complainant, if any.
- xiii. The Complaints Committee shall have the right to summon, as many times as required, the defendant, complainant and/or any witnesses for the purpose of supplementary testimony and/or clarifications;
- xiv. The complainant, defendant, or witness(es) shall be informed by the Complaints Committee about their right to be accompanied by one companion if they so desire. In case they wish to exercise this right, they shall communicate to the Complaints Committee member(s) the name of that person. Such a person shall have only observer status and her/his presence during the proceedings shall be restricted to the testimony of the individual she/he is accompanying;
- xv. Written transcripts of the recordings of the complainant, defendant and witnesses shall be maintained by the Complaints Committee, which should be explained to and signed by them (complainant, defendant and witnesses), after each hearing and countersigned by all members of the Complaints Committee;
- xvi. The identities of all involved (complainant, defendant and witnesses) may be protected as far as possible;
- xvii. The Complaints Committee shall have the right to terminate the enquiry proceedings and to give an ex-parte decision on the complaint, should the defendant fail, without valid ground, to present herself/himself for three consecutive hearings convened by the Complaints Committee;
- xviii. After concluding its investigation the Complaints Committee shall prepare a detailed reasoned report of its findings, including:
  - a. In case the Complaints Committee finds that the allegations of sexual harassment at the work place have been established against the defendant, it shall state it in writing with details of complete investigation giving reasons for its conclusions.
  - b. If the Complaints Committee finds no merit in the complaint, it shall provide the same in writing, giving reasons for its conclusions.
  - c. The complete detailed report including the findings and the documentary evidence if any shall be submitted by the Complaints Committee to the respective Disciplinary Authority for further necessary action concerning imposition of the penalty, in case allegations are established in the detailed inquiry proceedings conducted by the Complaints Committee.
  - d. In case, the Disciplinary Authority and/or Management feels that certain aspect(s) of the case need to be re-looked at, it can refer the case back to the Complaints Committee for further inquiry and investigation. In such circumstances, the Complaints Committee may investigate certain aspects as highlighted and the decision on the findings of the committee would be final and binding.
- xix. The Complaints Committee shall ensure that a fair and just investigation is undertaken ensuring conformity with the principles of natural justice and gender sensitivity, namely:
  - a. Both parties (complainant and defendant) shall be given reasonable opportunity to be heard along with respective witnesses and to produce any other relevant documents before the Complaints Committee.

- b. Upon completion of the investigation, both parties shall be informed of the results of that investigation in writing.
- c. Documents which form part of the official record shall also be given to the complainant and defendant if need be/so desired.
- d. Gender sensitivity shall be ensured in the entire proceedings, providing each complainant, in particular women, with appropriate support and protection given the chances of greater stigma, discrimination and humiliation faced by women in such cases.
- e. Procedure laid down in CVPP CDA Rules for conducting penalty proceedings must be followed by the Complaints Committee functioning as the "Inquiring Authority" as far as possible.

#### **2.6.2 Inquiry Report and Disciplinary Action:**

- i. The findings of Complaints Committee will be binding on the Disciplinary Authority and further action may be taken as per the CVPP Employees CDA Rules for imposing any of the defined penalties , in case the allegations are established;
- ii. Considering that Sexual Harassment at the workplace is a grave form of misconduct and a criminal offence, it shall call for any of the major penalties specified in CDA Rules in case the charge of sexual harassment is established during the detailed inquiry;
- iii. Sexual harassment by line managers or by colleague senior to the victim will be considered to be very serious and will attract stiffer penalties, out of the major penalties in the CDA Rules;
- iv. It shall be the responsibility of the respective Disciplinary Authority to take prompt follow up action on the findings of the Complaints Committees, within two weeks of receiving the inquiry report;
- v. This action shall be in addition to the legal recourse, if any taken by the complainant.

#### **2.6.3 Conciliation:**

- i. At the request of the complainant, the Complaints Committee may, before initiating the enquiry, take steps to settle the matter through conciliation between the complainant and the defendant;
- ii. Where a settlement is arrived at, the Complaints Committee shall record the settlement and recommend that no disciplinary action be taken in the matter against the defendant. However, the record of the process followed, settlement arrived at and action taken should be recorded and sent to the designated DA;
- iii. The Complaints Committee shall provide the copies of the settlement recorded to both the complainant and the defendant;
- iv. Where a settlement is arrived at, no further enquiry shall be conducted by the Complaints Committee/ DA;
- v. Where conciliation is not arrived at, the Complaints Committee shall proceed to make the inquiry into the complaint as per the procedures outlined under Section 2.6.1 of this Policy;
- vi. Similarly, where the complainant informs the Complaints Committee that any term or condition of the conciliation arrived at has not been complied with by the defendant, the Complaints Committee shall take up the matter for further enquiry as required (as per the steps outlined under Section 2.6.1 Of this Policy) and disciplinary action to be taken accordingly (as outlined under Section 2.6.2 of this Policy).

## **2.7 Confidentiality:**

- i. Employees making a complaint of sexual harassment shall be assured of complete confidentiality. If problems cannot be resolved confidentially, the concerned employee's explicit approval shall be taken before any further action is taken.
- ii. If any information pertaining to complaint of sexual harassment is passed outside the office by the complainant or breaches the confidentiality at any stage of the inquiry, then it shall be subject to the appropriate disciplinary action against the complainant ;
- iii. The Committee is bound to maintain confidentiality during the time of the inquiry in order not to prejudice the proceedings. The identities of all complainants and witnesses shall throughout be protected by the Complaints Committee;
- iv. After the report has been finalised, confidentiality should be maintained if the complainant so desires, by withholding the complainant's name and other particulars that would identify her/his;
- v. All information received including the contents of the complaint; the identity and addresses of the complainant, defendant and witnesses; any information related to conciliation and inquiry proceedings; findings of the Complaints Committee, and the action taken shall be kept confidential;
- vi. Any person including witnesses who breaches confidentiality shall be subject to disciplinary action.

## **2.8 Complaint Withdrawal:**

- i. After filing of a complaint and during the proceedings, the complainant may withdraw the complaint in writing if *she/he so desires* and the Complaints Committee may permit the same. If an enquiry has commenced, the Complaints Committee shall discontinue the enquiry in case the complaint is withdrawn. However, in case the Complaints Committee comes to the conclusion that the complaint is being withdrawn because it was false and made on unsubstantiated and unjustifiable ground it may recommend such action as deemed appropriate against the complainant to the concerned DA;
- ii. However, if the enquiry is in its final stage or if the enquiry has been completed and the final decision is pending at the final stage, the withdrawal of the complaint shall not be allowed;
- iii. If it is brought to the notice of the Complaints Committee or the Committee is of the opinion that pressure is being brought on the complainant to withdraw the complaint, the Complaints Committee shall record the same in writing.

## **2.9 Creating an Enabling Environment and Preventing Victimization:**

- i. It shall be ensured that the complainants or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment;
- ii. Consistent with the Supreme Court Guidelines during the pendency of enquiry, *on a written request made by the complainant*, the Complaints Committee can recommend to:
  - a. Transfer the complainant or the defendant to any other function or branch office; or
  - b. Grant leave to the complainant; or
  - c. Grant to the complainant any other relief, which may be considered appropriate by the Complaints Committee.

- iii. Retaliation by any employee(s) against the complainant and /or against any witness or other individual(s) shall not be acceptable and disciplinary action against such employees shall be taken. 'Retaliation' would include the following:
  - a. Marginalizing someone in the workplace with regard to his/her roles and responsibilities;
  - b. Socially ostracizing or stigmatization;
  - c. Intimidation or creation of hostile environment through physical, psychological, and/or emotional means for the complainant and/or witness(es), or someone close to or related to them.:
  - d. Spreading canard;
  - e. Pressurising the complainant in any way to withdraw the complaint;
  - f. Any other behaviour that may commonly be construed as retaliatory.
- iv. If defendant(s)/accused is in a senior position to the complainant, during the course of the investigation and enquiry, and if the defendant is found guilty, the defendant shall not write the Performance Appraisal Report (PAR) or other confidential report of the complainant, if she/he is otherwise so authorized.

#### **2.10 Right to Appeal:**

- i. In the event of a respective Complaints Committee not taking action on a complaint, or if the complainant or defendant is dissatisfied with the action taken by the respective Complaints Committee, she/he shall have the right to appeal to the CHQ Complaints Committee or directly to the Chairman, CVPP through the channel mentioned under 2.5 of this Policy;
- ii. In the event of imposition of a penalty by the designated D.A. the defendant/ Charged Officer shall have the right to appeal as per the procedure outlined in the ECDA Regulations, to the designated Appellate Authority.

#### **2.11 Third Party Harassment:**

- i. Where the Sexual Harassment at the workplace occurs as a result of an act or omission by any third party or outsider, the CVPP shall take all steps necessary and reasonable to assist the victim in terms of support and preventive action;
- ii. The respective Complaints Committees shall be responsible to recommend and take appropriate steps in case of Third Party Harassment in consultation with the appropriate authorities of CVPP.

#### **2.12 Management Obligations:**

- i. The Management of the CVPP shall provide all necessary assistance and support for the purpose of ensuring full, effective and prompt implementation of this Policy. It shall further be bound by the decisions of the Complaints Committee and shall implement the same expeditiously.
- ii. Safety of a complainant in the office premises or otherwise in respect to any duties/activities performed in connection with the work, which take place outside office premises, shall be ensured.

#### **2.13 Employee Obligations:**

- i. It is the obligation of each staff to ensure prevention of acts of sexual harassment as defined under Section 2.2 of this Policy and maintain a healthy and safe workplace for all.
- ii. All employees must refrain from conducting any such acts of sexual harassment.
- iii. It is the obligation of all employees to report sexual harassment noticed by them at the workplace.
- iv. All employees who become victims of such harassment must report about the sexual harassment experienced by them personally.

#### **2.14 Documentation, Monitoring, Review of Complaints and Complaints Committees:**

- i. A Complete and accurate documentation of each complaints, its investigation and the resolution thereof will be maintained. The incidents shall be documented in both the complainant's and the accused / defendants files with the full report of the Complaints Committee.
- ii. Each respective Complaints Committee will send their Half – Yearly reports to the COCC on the cases handled by them as well full account of the preventive activities undertaken by them.
- iii. The COCC shall provide their annual report to the MD, CVPP on the cases handled by all the Complaints Committees, disaggregated establishment-wise, as well as the full account of the preventive activities undertaken by them during the previous year.
- iv. In the above-mentioned reports, confidentiality of the complainants shall be maintained.
- v. The Management shall organise a joint meeting once every year for members of all the Complaints Committees to meet and discuss their experiences on the functioning of the Committees.
- vi. The management of CVPP shall, on an annual basis, report the compliance of the Supreme Court Guidelines as required, including the report of the Complaints Committee on complaints and action taken, to the CVPP Board and other concerned Govt. Departments.
- vii. The data on the number of complaints received and handled shall also be published on the CVPP website on an annual basis for employees' reference and information.

#### **2.15 Dissemination of the Policy:**

- i. A copy of this Policy shall be circulated to all employees of CVPP.
- ii. A copy of the Policy would be circulated to all offices/establishments of CVPP and shall also be notified at CVPP website at an appropriate place.
- iii. A copy of the Policy would be made available to all new recruits and they shall sign a statement acknowledging that they have received read, understood and will abide by the Policy.

#### **2.16 Reviewing the Policy:**

CVPP would periodically monitor, review and evaluate the working and efficacy of this Policy.

#### **2.17 Amendments to the Policy:**

The Amendments to the Policy may be made based on:

- i. Periodic review and evaluation of the working and efficacy of this Policy as undertaken by the CVPP;
- ii. On the basis of their experience of the execution of the Policy, the Complaints Committees shall have the power to make recommendations to the CVPP Management about changes required, if any in the policy;
- iii. The CVPP Management after adequate consultation with all concerned can make amendments in the Policy, as and when required, considering the issuance of related notifications and rulings by the government;
- iv. Amendments to the Rules and Procedures outlined in the Policy shall have effect only if they are in consonance with the letter and spirit of the Supreme Court Judgement on Sexual Harassment at the Workplace and any further rulings or notifications in this regard thereafter, and have been approved by the competent authority.

**2.18 Miscellaneous and Savings:**

- i. Criminal Proceedings: Where such misconduct amounts to a specific offence under the Indian Penal Code or under any other law, the CVPP shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- ii. Nothing contained in this policy shall prejudice any right available to the employee or prevent any person from seeking any legal remedy under the National Commission for Women Act 1990, Protection of Human Rights Commission Act 1993 or under the Indian Penal Code and/or any other law/supreme court directives for the time being in force.

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