

1. Objective

Luxmi Tea Company Limited (‘the Company’ or ‘Luxmi’) is committed to providing a work environment free from harassment of any kind and in particular, a work environment that does not tolerate sexual harassment. We respect dignity of everyone involved in our work place, whether they are employees, suppliers or our customers. We require all employees to make sure that they maintain mutual respect and positive regard towards one another.

2. Definition of sexual harassment

“*Sexual Harassment*” may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual Harassment at the workplace includes:

- a. unwelcome sexual advances (verbal, written or physical),
- b. demand or request for sexual favours,
- c. any other type of sexually-oriented conduct,
- d. verbal abuse or ‘joking’ that is sex-oriented,
- e. any conduct that has the purpose or the effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions.

“*Employee*” means any person on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.

3. Internal Complaints Committee

3.1 A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Chairman and Members of the Committee are as follows:

Any Director / Women employed at senior level from the workplace or other offices of the Company	Presiding officer
Employee at the level of Assistant General Manager or above	Member
Department Head from the division from where the complaint has originated	Member
Member from an NGO or Lawyer	Member

3.2 A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.

4. Procedure for dealing with complaints of sexual harassment

Redressal Process:

- 4.1 Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within one month of occurrence of incident or last incident.
- 4.2 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- 4.3 The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but not later than a week in any case.
- 4.4 At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint.
- 4.5 Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation.
- 4.6 An “Enquiry/Investigation” shall be conducted and the complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 3 months of the receipt of the complaint. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused will be disciplined accordingly.
- 4.7 In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- 4.8 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

5. Enquiry / Investigation process

- 5.1 The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.

- 5.2 The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.
- 5.3 The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 5.4 If the Complainant or the person against whom complaint is made desires any witness to be called, they shall communicate in writing to the Committee the names of witness whom they propose to call.
- 5.5 If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be original copies.
- 5.6 The Committee shall call upon all witnesses mentioned by both the parties.
- 5.7 The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- 5.8 The Committee shall complete the “Enquiry” within three months and communicate its findings and its recommendations for action to the Board. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- 5.9 The Board will direct appropriate action in accordance with the recommendation proposed by the Committee.

6. Disciplinary Action

In case any such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the company shall initiate appropriate action in accordance with the law by lodging a complaint with the appropriate authority.

Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal. This action shall be in addition to any legal recourse sought by the complainant.

7. Confidentiality

The contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the Company shall not be published, communicated or made known to the public, press and media in any manner.

8. Protection against retaliation

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee as soon as possible. Disciplinary action will be taken by the Complaints Committee against any such complaints which are found genuine.

9. Documentation

The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the Complaints Committee.

10. Complaints made with a malicious intent

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.