

## **POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

### **I) POLICY**

NCL Industries Ltd., (NCL or the Company) having its registered and corporate office at 10-3-162, NCL Pearl, 7<sup>th</sup> Floor, Opp. Hyderabad Bhavan, East Marredpally, Secunderabad-500026, Telangana. The Company believes that all employees of the Company have the right to be treated with dignity. The Company is committed to provide equal opportunity and a harassment free workplace notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. The Company believes that Sexual Harassment in any form at workplace is a grave offence. The Company takes on itself the responsibility to identify and prevent Sexual Harassment and to develop a culture of “zero tolerance” for any form of Sexual Harassment at the Workplace. The Company will respond promptly to reports of Sexual Harassment and will take prompt and appropriate steps to take cognizance of acts/behavior that violates this Policy and if necessary, facilitate legal action, at the instance of the aggrieved.

### **II) LEGISLATIVE BACKGROUND AND REQUIREMENT**

- The Government of India has notified the Sexual Harassment of Women at the Workplace (Prevention, Prohibition Redressal) Act, 2013 (“Act”) and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (“Rules”). Both the Act and the Rules have come into force with effect from December 9, 2013. The Act and the Rules were both drawn up and passed in furtherance to the guidelines as laid down by the Supreme Court of India in the matter of Vishaka v. State of Rajasthan, to ensure that women, in particular, are protected against Sexual Harassment at all work places, be it in public or private, and to create work environments that recognizes right to gender equality, life and liberty and equality in working conditions everywhere.
- This Anti-Sexual Harassment Policy gives effect to the legal provisions contained in the Act and the Rules relating to protection against Sexual Harassment at Workplace and for establishing the necessary mechanisms for redressal of complaints of Sexual Harassment and for matters connected therewith or incidental thereto.
- In order to comply with the provisions of the Act, every organization has to formulate and implement an Anti- Sexual Harassment Policy (“Policy”).
- This Policy is meant to educate the Employees about what act/conduct constitutes Sexual Harassment and has been formulated to prohibit, prevent or deter the

commission of acts of Sexual Harassment at workplace, and in the event of such an occurrence, to enable a fair mechanism for dealing with such conduct.

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### III) SCOPE OF THE POLICY

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- This Policy is Gender Neutral, however encompassing the provisions of the the Sexual Harassment of Women at the Workplace (Prevention, Prohibition Redressal) Act, 2013 (“Act”), in letter and spirit and applying it to both genders. Hence the word “women/woman”, wherever mentioned in this policy would imply and include “man/men/male”, as applicable and appropriate.
- This Policy extends to all Employees of the Company whether permanent, temporary, on training and on contract and is deemed to be incorporated in the service conditions of all Employees.
- It also extends to outsiders who come in contact of the Employees of the Company and who allege that they have been sexually harassed by the said Employee.
- The Company will also not tolerate Sexual Harassment of the Employees of the Company, if engaged in by clients or any other business associates.
- This Policy shall extend to:
  - a. All Company-related activities performed at any other site away from the Company’s premises;
  - b. All Employees at (whether in the office premises or outside while on assignment) Company’s office.
  - c. Incidents of Sexual Harassment reported by Company’s Employee as a result of an act by a third party or outsider while on official duty.
  - d. The Company will take all necessary and reasonable steps to assist the affected person in terms of support and remedial/preventive action.
  - e. This Policy shall come into effect immediately upon its approval by the Board of Directors of the Company or amendments from time to time.

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### IV) IMPORTANT DEFINITIONS FROM THE ACT

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#### **Sexual Harassment**

includes any unwelcome acts or behavior (whether directly by implication) such as Physical contact and advances; or demand or request for sexual favors; Making sexually colored remarks; Showing pornography; or Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Additionally, any of the following, in relation to or connected with the above, will constitute

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

## **Employee**

For the purpose of this Policy, means and includes any person hired by the Company, whether as a consultant or as an employee on the rolls of the Company who is employed for any work on regular, temporary, ad-hoc or daily wage basis, directly or through an agent, including a contractor, with or, without the knowledge of the Company's management, 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,, trainee, apprentice, article clerk or called by any other such name.

## **Workplace**

- i. The Company's Registered offices situated at 10-3-162, NCL Pearl, 7<sup>th</sup> Floor, Opp. Hyderabad Bhavan, East Marredpally, Secunderabad-500026. Telangana, India
- ii. All the Manufacturing Units, Regional Offices PAN India
- iii. Any place visited by an Employee of the Company, arising out of or during the course of discharging the Company's work.

## **Aggrieved Woman/Victim**

With respect to the Act in relation to the workplace is a person of any age, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.

## **Respondent**

Means the person who is alleged or reported to have committed an act of Sexual Harassment and against whom the Aggrieved Woman/ Complainant has made a Complaint under this Policy in terms of Section 9 of the Act.

## Complaint

Means information, either oral or written, made by the Aggrieved Woman/ Complainant. However, complaint made orally must be reduced in writing with the assistance of the Internal Complaints Committee members.

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## V. OBLIGATIONS OF THE COMPANY

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1. The Company shall be responsible, among others, for the following:

- a) Prohibit, prevent and deter commission of acts of sexual harassment;
- b) Implement the Policy by providing 'discrimination and hostility free work environment;
- c) Spread awareness of the Policy amongst its employees, including by publication, notification and circulation of the Policy
- d) Sensitizing employees about sexual harassment issues by way of trainings and sensitization programs
- e) Provide fair and impartial procedures for resolution, settlement or prosecution of acts of sexual harassment by taking all necessary steps, including those more particularly provided hereinafter; and
- f) Implementation of recommendations of the Internal Complaints Committee (as hereinafter defined).

2. The Company shall make an annual report in compliance with the Policy and submit to the appropriate Government authority and declare the same in Directors Responsibility statement that it has complied with the act.

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## VI) INTERNAL COMPLAINTS COMMITTEE

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An Internal Complaints Committee ("ICC") must be constituted, in accordance with the provision of Section 4 of the Act to redress complaints of Sexual Harassment.

An ICC shall consist of:

- a. A presiding officer who shall be a woman employed at senior level;
- b. Not less than two Members from amongst the Employees preferably committed to the cause of women;
- c. One Member from an NGO or association committed to the cause of women or person familiar with the issues relating to the Sexual Harassment.
- d. At least one half of the total Members nominated shall be women. The Presiding Officer and Members shall hold office for a period not more than 3 years.

An order constituting the ICC shall be passed and shall be displayed at any conspicuous place of the Company.

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## VII) REDRESSAL PROCESS

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### 1. Complaint -

a. Any Employee who feels that he/she is being sexually harassed, directly or indirectly, may submit a Complaint of the alleged incident to any member of the ICC in writing with her signature within three (3) months of occurrence of incident, and in case of a series of incidents, within a period of three (3) months from the date of the last incident. The ICC may, after recording its reasons in writing, extend the time limit if it is satisfied with the circumstances that led to preventing the Complainant from making the Complaint within three (3) months;

b. A Complaint may also be made by a legal heir or any of the persons specified under Sub-section (2) of Section 9 of the Act read with Rule 6 of the Rules, where the Complainant is unable to do so, on account of any kind of incapacity;

c. The Internal Complaints Committee shall maintain a register to record the Complaint received by it and keep the contents confidential, except to use the same for inquiry. The complainant would be advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity. The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

d. The Complainant must file six copies of the Complaint along with supporting documents and names and addresses of witnesses;

e. The ICC shall forward one copy of the Complaint to the Respondent within seven (7) working days of receipt of complaint;

f. The Respondent must file his response to the Complaint along with supporting documents and names and addresses of witnesses, within ten (10) days of receiving the Complaint copy from the ICC. A copy of the said response shall be provided to the Complainant forthwith.

### 2. Settlement through Conciliation-

a. At the request of the Complainant the ICC, shall, prior to initiating an inquiry, take steps to settle the matter between the Complainant and the Respondent through conciliation. The ICC shall record the terms of any such settlement reached between the Complainant and the

Respondent. The committee will provide copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

b. If the Respondent fails to comply with the terms and conditions of the Settlement, the Complainant may inform the ICC of the same for further action, as provided under the Act.

### **3. Inquiry and Action-**

a. The ICC will make an inquiry into the Complaint in accordance with the principles of natural justice;

b. During the pendency of an inquiry, the ICC shall, on the request made by the Complainant, grant interim relief in accordance with the provision of Section 12 of the Act. The same have been incorporated under heading 7 as follows under this subsection.

c. The ICC may terminate the inquiry proceedings or decide ex-parte on the Complaint, if the Complainant or the Respondent does not, without sufficient cause, present himself/herself for three consecutive hearings convened by the ICC;

d. The quorum for convening a meeting of the ICC for the purpose of an inquiry shall be three (3) members of the ICC, including the presiding officer;

e. The ICC shall complete the inquiry within a period of ninety (90) days and communicate its findings and its recommendations for action to the Company's management in a report, within ten (10) days of completing the inquiry;

f. A copy of the report shall also be made available to the Complainant and the Respondent. None of the parties can be represented by a lawyer during the proceedings;

i. The ICC shall be governed by the "Act" and the "Rules".

j. ICC shall take action in accordance with the provision of Section 14 of the Act against a Complainant for knowingly or recklessly bringing a false Complaint of Sexual Harassment and false evidence.

k. If on an inquiry, the Complaint is found to be false or malicious, or that a witness has given misleading evidence, the Complainant or the witness, as the case may be, shall be liable for appropriate disciplinary action by the ICC. Such malicious intent must be established after an inquiry. A mere inability or insufficiency to substantiate a Complaint shall not be considered as grounds for taking action, under this provision.

### **4. Considerations while preparing inquiry report**

While preparing the findings/recommendations, following are considered:

- a) Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- b) Whether the allegations or events follow logically and reasonably from the evidence
- c) Credibility of complainant, respondent, witnesses and evidence
- d) Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- e) Both parties have been given an opportunity of being heard

- f) A copy of the proceedings were made available to both parties enabling them to make representation against the findings

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee

## **5. Implementation of the recommendations made by the Internal Complaints Committee**

The Management shall consider the recommendations and findings of the Internal Complaints Committee and make a decision in relation to action to be taken against the Accused within ten (60) days of the submission of the report by the Internal Complaints Committee. The Management may issue such order and, or, directions as it deems fit. The Management shall also endorse a copy of its order to the Complainant, Accused and to the Complaints Committee.

## **6. Punishment for Sexual Harassment**

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- a) Counseling
- b) Censure or reprimand
- c) Apology to be tendered by respondent
- d) Written warning
- e) Withholding promotion and/or increments
- f) Suspension
- g) Termination
- h) Monetary compensation to the aggrieved from the salary of the respondent
- i) Or any other action that the Management may deem fit.

## **7. Protection against Victimisation**

1. During the pendency of the Complaint, the Company shall:

- a) In the event the Accused is the Complainant's Supervisor/Superior, review the possibility of relocating the Complainant within the Company, upon request of the complainant and ensure that the Complainant is not subject to appraisal by the Accused;
- b) Ensure that any sort of retaliation against the Complainant or witnesses is strictly prohibited. Any act of reprisal, including internal interference, coercion and restraint, by the

Accused, whether directly or indirectly, will result in appropriate action against the Accused by the Internal Complaints Committee in consultation with the Management;

c) Where the Accused is a third party interacting with the Company, such Accused shall not be allowed to enter the Company premises except for the purpose of attending the present Complaint.

2. After the conclusion of the investigations of the Complaint:

a) If the Accused is found to be guilty, the Accused shall not write the Appraisal Reports of the Complainant, if he or she is otherwise so authorized;

b) Where the Accused is a third party interacting with the Company, and found to be guilty, the Accused shall not be allowed to enter the Company premises.

3. In the event, the Internal Complaints Committee after investigation of a Complaint in accordance with the procedure prescribed herein, concludes that the Complaint was false and made with malicious intent by the Complainant, then the Internal Complaints Committee shall take such appropriate measures, in consultation with the Management, against the Complainant, as it may deem necessary.

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## **VII. Criminal Proceedings**

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Where sexual harassment amounts to a specific offence under the Indian Penal Code, 1860 or under any other applicable law in India, offence being committed by an outsider or an internal employee, the Management shall initiate appropriate action, in accordance with law in India, by making a complaint with the appropriate authority.

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## **VIII) APPEAL**

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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 and rules, within 90 days of the recommendations being communicated.

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## **IX) REVISION OF ANTI HARASSMENT POLICY**

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The Company reserves the right to modify and, or, review the provisions of this Policy, so as to comply with applicable legal requirements in India, internal policies, or with a view to fine tune or alter the provisions of this Policy to the extent deemed necessary by the Company from time to time.

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## **X) CONTACT DETAILS OF THE INTERNAL COMPLAINTS COMMITTEE**

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The Internal Complaints Committee (“ICC”) shall be constituted/re-constituted by the Managing Director from time to time in accordance with the applicable provisions of the Act and rules made thereunder.

The composition of the ICC, including the names, designations and contact details of its members, shall be communicated and disseminated to employees by the Human Resources Department through appropriate internal communication channels, including the employee self-service portal, HR platforms and/or other interactive internal communication systems, and shall also be displayed at conspicuous places at the respective workplaces of the Company.

The Human Resources Department shall be responsible for maintaining updated details of the ICC members and providing necessary administrative support for effective implementation of this Policy.

## ANNEXURE 1

### **Sections Bharatiya Nyaya Sanhita BNS Section 75 – Sexual Harassment**

Under the **Bharatiya Nyaya Sanhita BNS Section 75** (earlier Indian Penal Code, Section (S. 354A)) which deals with Sexual Harassment has made this a ‘cognizable offense’ i.e. a person charged with Sexual Harassment may be arrested **without a warrant**.

(1) A man committing any of the following acts:

- (i) physical contact and advances involving unwelcome and explicit sexual overtures; or
- (ii) a demand or request for sexual favours; or
- (iii) showing pornography against the will of a woman; or
- (iv) making sexually coloured remarks,

shall be guilty of the offence of sexual harassment.

(2) Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) above, shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

In addition to Section 75 set out above, acts of Sexual Harassment may also constitute other offences under the Bharatiya Nyaya Sanhita, 2023 including Section 74 (assault or criminal force to woman with intent to outrage her modesty), Section 77 (Voyeurism), Section 78 (Stalking), Sections 63 and 64 (Rape) and Section 79 (word, gesture or act intended to insult modesty of a woman) of the BNS.

**Policy date: 29-05-2026**