

# GUJARAT POLYSOL CHEMICALS LIMITED

CIN No. U24231GJ1989PLC012892

Regi Office Address: Plot No. 1734, Third Phase, GIDC, Vapi,  
Dist. Valsad, Vapi, GJ 396195 IN

Email Id: [gujaratpolysol@gmail.com](mailto:gujaratpolysol@gmail.com), Contact No. +91 99251 00331

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## POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARRASMENT AT WORKPLACE

### 1. PHILOSOPHY

**Gujarat Polysol Chemicals Limited (Company)** is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and has zero tolerance against sexual harassment.

The Company also believes that all its employees have the right to be treated with dignity and respect. Sexual harassment at the work place or other than work place, if involving employees, is a grave offence and will invite serious disciplinary action.

This policy is known as "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Policy" (**Policy**). This Policy is meant to educate the employees about what conduct constitutes sexual harassment, the ways and means which we are adopting to prevent occurrence of any such event, and in the unlikely chance of such an occurrence, to enable a fair mechanism for dealing with such conduct.

This Policy has been framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (**POSH Act**) and seeks to prevent/ prohibit/ redress any incident of sexual harassment at workplace or by any of the employees of the Company and to enforce strong disciplinary action in face of any such occurrence.

### 2. OBJECTIVE, SCOPE & EFFECTIVE DATE

The Policy is to define the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment in addition to the matters connected therewith or incidental thereto at all offices of the Company. For any doubt or further clarification, reference be made to the POST Act and rules framed thereunder.

This Policy is applicable to:

- a) Every employee across the Company – permanent, temporary, on training and on contract.
- b) An alleged act of sexual harassment, whether the act of sexual harassment has taken place at the work place or outside the workplace of the Company;
- c) An alleged act of sexual harassment, whether the incident has occurred during or beyond office hours.

Any act of sexual behavior is included if such an act is perceived to be detrimental to a healthy and congenial work environment. This Policy is applicable only when both or either the alleged harasser and the victim are employees/ agents of the Company. It is not applicable when both the alleged harasser and the victim are third parties.

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## 3. DEFINITIONS

Sexual harassment means engaging in unwelcome conduct of a sexual nature in relation to another person, either with the intention of offending, humiliating or intimidating the other person, or in circumstances where a reasonable person would expect that it would give offence.

According to POSH Act, "**Sexual Harassment**" includes any one or more of the following unwelcome acts or behavior (Whether directly or by implication) namely; -

- a) physical contact and advances; or
- b) a demand or request for sexual favors; or
- c) making sexually colored remarks; or
- d) showing pornography; or
- e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature such as obnoxious comments or utterances, remarks or jokes, letters, phone calls, SMS or emails, gestures, stalking, sounds or display of a nature with sexual overtures.

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment: -

- a) Implied or explicit promise of preferential treatment in her employment; or
- b) Implied or explicit threat of detrimental treatment in her employment; or
- c) Implied or explicit threat about her present or future employment status; or
- d) Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- e) Humiliating treatment likely to affect her health or safety.

"**Disciplinary Authority**" - means Chairman & Managing Director of Company who is responsible for award of punishment as recommended by the ICC.

"**Employee**" means any person on the rolls of the Company including those on deputation, contract, temporary and part time provided that an employee engaged through a contractor and consultants shall be an employee within the meaning of the Policy.

"**Outsider**" means any person who is not an employee of Company and includes a candidate who is attending interview, customer, client, creditor, debtor or any other external person who is not an employee.

"**Internal Complaints Committee or ICC**" means a committee formed under this Policy, pursuant to the provisions of the POSH Act, for redressal of matters connected with sexual harassment.

For any other term for which no separate definition is given, the definition given under respective law in force will apply.

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## 4. CONSTITUTION, ROLE AND POWERS OF INTERNAL COMPLAINTS COMMITTEE

In accordance with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and rules framed thereunder, the Company has formed an Internal Complaints Committee (**ICC**) to manage the process of enquiry and redressal of sexual harassment complaints.

### **Constitution:**

- a) The Company shall have an Internal Complaints Committee comprising of minimum three members.
- b) The Internal Complaints Committee shall be chaired / presided by a woman in a senior most position/workplace from amongst employees. In case there is no senior enough woman officer available in the workplace, an eminent woman who may not be an employee of the Company, shall be co-opted as Chairperson for that case.
- c) Not less than half of the members of the Internal Complaints Committee shall be women.
- d) The members would be from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge. They must be gender sensitive and compassionate individuals. They must be non-judgmental and tactful in their approach of handling such cases.
- e) The Internal Complaints Committee shall appoint/co-opt a nominee from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- f) The Internal Complaints Committee established for inquiring into complaints of sexual harassment shall be deemed to be the Inquiring Authority appointed by the Disciplinary Authority and the Internal Complaints Committee shall hold the inquiry in accordance with the procedure laid down in this Policy.
- g) Every Member of the Internal Complaints committee shall hold office for a period of three years, from the date of their nomination and shall be eligible for re-appointment.
- h) The Member appointed from amongst NGOs/associations or other person having relevant experience be entitled to a fee or allowance as decided by the Company from time to time for holding the proceedings of the Internal Complaints Committee and also the reimbursement of travel cost incurred, if any.
- i) Any member of the Internal Complaints Committee if found guilty of contravening the provisions of the POSH Act or found guilty in any other disciplinary proceedings, shall be removed from the Committee. Membership will also be terminated in the event of retirement or resignation of a member from the employment of the Company. A

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vacancy caused by the resignation or removal of member or by death or otherwise shall be filled by fresh nomination.

- j)** Changes in the constitution of the Internal Complaints Committee, whenever necessary, shall be made within **90 days** of the date of vacancy of office by one of the members.
- k)** Where the Presiding Officer or any Member of the Internal Complaints Committee: -
- i.** contravenes the provisions of clause [5.2(l)]; or
  - ii.** has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
  - iii.** he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
  - iv.** has so abused his position as to render his continuance in office prejudicial to the public interest,
- such Presiding Officer or Member, as the case may be, shall be removed from the Internal Complaints Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of Section 4 of the POSH Act.

## **Role & Powers:**

- a.** The Internal Complaints Committee shall meet as and when the need arises and, in any case, once in a year, even if there is no live case, and review preparedness to fulfill all requirements of the POSH Act in the Company.
- b.** The quorum for the meeting/hearing shall be a minimum of two members or one third of total members whichever is more. However, this shall not be a pre-requisite for the quorum of an adjourned meeting.
- c.** The minutes of every meeting shall be recorded in the minutes book maintained for the purpose.
- d.** The Internal Complaints Committee shall have power and jurisdiction for conducting an inquiry and also have the powers to –
  - i.** Summon witnesses and documents;
  - ii.** Recommend transfer and/or suspension;
  - iii.** Recommend penalties as per code of conduct\_of the company.
  - iv.** Submit its report to the Disciplinary Authority for further necessary action.

## **Meeting frequency of the committee**

ICC should meet within 7 working days of receiving the complaint. A minimum quorum of members out of which at least 2 need to be women and the external NGO representative is required to be present for the proceedings to take place.

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## **Investigation Committee:**

The Internal Complaint Committee representatives shall form the Investigation Committee. This committee must have equal number of male and female representatives. Investigators are required to conduct a process towards fact finding and analysis.

## **5. COMPLAINT REDRESSAL PROCESS**

### **5.1. Complaint Process:**

- a. Any aggrieved employee may make, in writing, a complaint of sexual harassment at workplace to the Internal Complaints Committee so constituted within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaints Committee, as the case may be, shall render all reasonable assistance to the employee for making the complaint in writing. Provided further that the Internal Complaints Committee, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the said period.
- b. Where the aggrieved employee is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise, his/her legal heir or such other person as may be prescribed [may make a complaint.
- c. The Internal Complaints Committee may, before initiating an inquiry and at the request of the aggrieved employee take necessary steps to settle the matter between him/her and the respondent through conciliation. Provided that no monetary settlement shall be made as a basis of conciliation.
- d. Where a settlement has been arrived at, the Internal Complaints Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.
- e. The Internal Complaints Committee shall provide the copies of the settlement as recorded to the aggrieved employee and the respondent.
- f. No further inquiry shall be conducted by the Internal Complaints Committee where a settlement is arrived at.
- g. Subject to clauses 5.1(c) to 5.1 (f), the Internal Complaints Committee where the respondent is an employee, proceeds to make inquiry into the complaint in accordance with the provisions of the company's code of conduct applicable to the respondent, [and *if prima facie* case exist, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the IPC, and any other relevant provisions of the said Code where applicable.] Provided that where the aggrieved employee informs the Internal Complaints Committee that

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any term or condition of the settlement arrived at has not been complied with by the respondent, the Internal Complaints Committee shall proceed to make an inquiry into the complaint [or as the case may be, forward the complaint to the police.] Provided further that where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

- h. For the purpose of making an inquiry, the Internal Complaints Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely: -
  - i. summoning and enforcing the attendance of any person and examining him/her on oath;
  - ii. requiring the discovery and production of documents; and
  - iii. any other matter which may be prescribed.
- i. The inquiry shall be completed within a period of ninety days.

## 5.2. Inquiry into the Complaint

- a. During the pendency of an inquiry, on a written request made by the aggrieved employee, the Internal Complaints Committee may recommend to the employer to:
  - i. transfer the aggrieved employee or the respondent to any other workplace; or
  - ii. grant leave to the aggrieved employee up to a period of three months; or
  - iii. grant such other relief to the aggrieved employee as may be prescribed.
- b. The leave granted to the aggrieved employee under clause 5.2 shall be in addition to the leave he/she would be otherwise entitled.
- c. The Internal Complaints Committee may at the written request of the aggrieved employee recommend to the employer to restrain the respondent from reporting on the work performance of the aggrieved employee or writing the aggrieved employee's confidential report and assign the same to another officer.
- d. On the recommendation of the Internal Complaints Committee, the employer shall implement the recommendations and send the report of such implementation to the Internal Complaints Committee.
- e. On the completion of an inquiry, the Internal Complaints Committee shall provide a report of its findings to the employer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- f. Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the

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employer and the District Officer that no action is required to be taken in the matter.

- g. Where the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer:
- i. to take action for sexual harassment as a misconduct in accordance with the provisions of the code of conduct applicable to the respondent.
  - ii. to deduct, notwithstanding anything the code of conduct applicable to the respondent, from the salary of the respondent, such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine as per clause number 5.2 (k). Provided that in case the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved employee. Provided further that in case the respondent fails to pay the sum referred to in this clause, the Internal Complaints Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.
- h. The employer or the District Officer shall act upon the recommendation within sixty days of the receipt of the recommendation by him.
- i. Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved employee or any other person making the complaint has made the complaint knowing it to be false or the aggrieved employee or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the employee or the person who has made the complaint in accordance with the provisions of the code of conduct applicable to her or him. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.
- j. Where the Internal Complaints Committee arrives at conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the code of conduct applicable to the said witness.
- k. For the purpose of determining the sums to be paid to the aggrieved employee under clause 5.2 (g), the Internal Complaints Committee shall have regard to:
- i. the mental trauma, pain, suffering and emotional distress caused to the aggrieved employee;
  - ii. the loss in the career opportunity due to the incident of sexual harassment;
  - iii. medical expenses incurred by the victim for physical or psychiatric treatment;
  - iv. the income and financial status of the respondent;

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- v. feasibility of such payment in lump sum or in instalments.
- l. Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made, the identity and addresses of the aggrieved employee, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee and the action taken by the employer shall not be published, communicated or made known to the public, press and media in any manner. Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this policy without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved employee and witnesses.
- m. Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of clause 5.2 (l), he shall be liable for penalty in accordance with the provisions or the code of conduct applicable to the said person.
- n. Any person aggrieved from the recommendations made under clause 5.2 (f) or sub-clause (i) or (ii) of clause 5.2 (g) or clause 5.2 (i) or clause 5.2 (j) or section 5.2 (m) or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the code of conduct applicable to the said person or where no such code of conduct exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.
- o. The appeal under clause 5.2 (n) shall be preferred within a period of ninety days of the recommendations.
- p. The Internal Complaints Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, as the case may be. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.
- q. In conducting the inquiry, a minimum of three members of the Internal Complaints Committee including the Presiding Office, shall be present.

## 6. Rights of the Respondent

People who are accused of sexual harassment have the right to:

- 6.1. be informed of the nature of the allegations;
- 6.2. respond to the allegations;
- 6.3. an impartial investigation applying the principles of natural justice; and
- 6.4. confidentiality.

If the complaint is found to be unsubstantiated, the respondent may be entitled to:



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- 6.5. an apology or some other type of acknowledgment by management; and / or
- 6.6. reinstatement of any loss of privileges;

If the complaint is found to be frivolous, fictitious, false or malicious , the Company may initiate disciplinary action against the complainant.

## 7. Confidentiality

Any allegation of sexual harassment is potentially damaging to a person's reputation and credibility. Therefore, it is necessary to treat all cases in the strict confidence. To ensure the integrity and confidentiality of sexual harassment cases, Internal Complaints Committee must ensure that files are kept in a locked filing cabinet and are not left on desks or any other accessible areas. A break in confidentiality or communication of damaging material may result in legal action being initiated by the respondent or other parties.

## 8. REVIEW OF WORKING OF ICC

With a view to reviewing the working of the Internal Complaints Committee, the Disciplinary Authority shall convene meetings at regular intervals as it thinks fit which shall be attended by the Chairman & Members of the Internal Complaints Committee.

## 9. ROLES AND RESPONSIBILITIES

### Employees

Employees are encouraged to familiarize themselves with the key elements of the Policy and should:

- a) Abstain from committing any acts which amount to sexual harassment at the workplace.
- b) Report incidents of sexual harassment without fear or favor.
- c) Create an environment of conduciveness for co-workers to work together without fear of harassment.
- d) Get clarifications from HR whenever in doubt.

### Functional Heads, Managers

- a) Provide appropriate working conditions in respect of work, leisure, health and ensure there is no hostile environment in the work place.
- b) Report any complaint or grievance immediately to the concerned authorities.
- c) Ensure there is no retaliation or retribution happening at the workplace where the supposed action is to have taken place.
- d) Implement the disciplinary action along with HR.
- e) Ensure that issues pertaining to sexual harassment are discussed periodically during the meetings.
- f) During such meetings, relevant details such as the brief outline of this Policy, the details of the members of the Internal Complaints Committee shall also be discussed.

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## HR Department

- a) Conduct necessary communication and training across the company, with respect to sexual harassment at the workplace.
- b) Ensure this policy is communicated, explained and handed over at the time of induction of every employee.
- c) Any act of sexual harassment to be notified as misconduct under this Policy.
- d) Provide sufficient security at the entry as well as the exit points and in cases where women employees are transported from and to the work place working in late hours.
- e) Clarify to employees on any queries related to this policy.
- f) Maintain records of all the Sexual Harassment cases and findings.

## Chairman:

To consider and dispose of appeals, within a period of thirty (30) days and communicate the decision to the parties concerned.

## 10. MIS AND REPORTING GUIDELINES:

All investigations will be tracked and reported to the management team regularly. The Annual Report which the Complaints Committee shall prepare shall have the following details and will be shared with Chairman and Managing Director.

- a) Number of complaints of sexual harassment received in the year;
- b) Number of complaints disposed of during the year
- c) Number of cases pending for more than 90 days
- d) Number of workshops or awareness programs against sexual harassment carried out;
- e) Nature of action taken by the employer.

## 11. DISCLOSURE OF THE POLICY ON PUBLIC DOMAIN

This policy and every subsequent modification, alteration or amendment made thereto, shall also be intimated to the Stock Exchange where the securities of the Company are listed and also the same shall be published on the official website of the Company.

## 12. REVIEW AND CHANGES

The Board of Directors of their own or on the recommendation of the Committee is authorized to amend or modify this policy in whole or in part as and when deemed necessary, to stipulate further guidelines, procedures and rules, from time to time.

## 13. NATURAL JUSTICE

The principles of natural justice should be followed in proceedings for sexual harassment. Natural justice refers to procedural fairness, ensuring a fair decision is reached by an objective decision-maker.

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Natural justice requires two rules to be observed:

- (a) The hearing rule, which states that a person or body deciding a particular matter must ensure the affected person knows the case against them and has the opportunity to present their case before any decision is made.
- (b) The rule against bias, which states that a decision-maker (including an investigation officer) should have no personal interest in the matter to be decided, have no bias as to the outcome and act in good faith throughout the process. Care should also be exercised to exclude perceived bias from the process.

Managers/employees involved in the procedures must aim to strike a balance between the rights of the complainant and the right of the respondent.

Subject to applicable laws, where appropriate, allegations of inappropriate conduct should be resolved, where possible, by non-punitive, educational, advisory and conciliatory methods. The object is to alter behavior and to change attitudes rather than to punish. It must be recognized that in some cases the behavior may be unconscious or unintentionally offensive. There is every indication that the most frequent desire of a victim is not for punishment of the respondent, but for the sexual harassment to stop.

## 14. APPROVED AND ADOPTED

This revised Policy has been adopted by the Board of Directors of the Company in its meeting held on February 14, 2022 and policy shall be effective from February 14, 2022.

Present Committee Members are as follows-

SN.	Position in the Committee	Name of the Members	Designation in Company	Mobile Number	Email
1.	Presiding Officer	Nilima Shaileshbhai Desai	Senior Employee in the Company	98256 00465	nsdvapi@gmail.com
2.	Member	Shaileshkumar Balvantrai Desai	Chairman & Managing Director	99251 00331	shailesh@gpcpl.net
3.	Member	Lavanya Manishkumar Patel	External Member	98245 36808	lavanyapatel.lp@gmail.com

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