

SEXUAL HARASSMENT PREVENTION & REDRESSAL POLICY

1. OBJECTIVE:

Xolopak India Limited is committed to creating and maintaining a secure, congenial and nurturing workplace which is free of all forms of harassment where employees, visitors, customers, vendors, partners and all other stakeholders are treated with dignity and fairness.

2. POLICY STATEMENT:

- a. The employees /associates and others acting on behalf of the Company are entitled to respectful treatment at the workplace. Being respected means being treated honestly and professionally, with one's unique talents and values. It is a work environment that is free of inappropriate behaviour of all kinds and harassment irrespective of age, disability, marital status, race or colour, origin, religion, sex, sexual orientation or gender identity.
- b. This Policy has been framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Act") & the Rules made thereunder. The Act and the Rules as may be amended from time to time, will be applicable. In case of any discrepancy between the Policy and the Act or Rules, the provisions of the Act or Rules, as the case may be, shall prevail.

3. DEFINITIONS:

- a. **"Act"** shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and includes the Rules framed and any notifications, circulars, clarifications issued thereunder.
- b. **"Aggrieved Woman"** shall mean a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.
- c. **"Committee/IC/ICC"** shall mean Internal Complaints Committee constituted by the Employer, in accordance with the provisions of the Act and Rules, to receive sexual harassment complaints and act on such complaints.
- d. **"Employee"** means a person employed at a Workplace for any work, on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice, or called by any other such name.

Corporate office:

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Seven Business Square, City Survey No.11o8/7,
Plot No.487, Bhamburda, Shivajinagar
Pune, Maharashtra, India, 411005

Contact Details:

✉ compliance@xolopak.com
☎ Phone: +91 9833560076
🌐 www.xolopak.com

GST Details:

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GST No: 23AAGCV1288A1ZN
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- e. **“Employer”** means the head of the organisation or any person who is responsible for the management, supervision and control of the Workplace, including but not limited to the Board of Directors.
- f. **“Member”** shall mean a member of the Committee.
- g. **“Presiding Officer”** means the presiding officer of the Committee.
- h. **“Policy”** or **“this Policy”** shall mean this Sexual Harassment, Prevention and Redressal Policy and shall include any annexes or exhibits annexed to this Policy and any amendments made to this Policy.
- i. **“Respondent”** shall mean a person against whom the Aggrieved Woman has made a complaint.
- j. **“Sexual Harassment”** includes: -

Any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: -

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

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: -

- (i) implied or explicit promise of preferential treatment in a woman employee’s 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.

- k. **“Workplace”** includes:

- (i) All offices or other premises where the Company’s business is conducted.
- (ii) All Company-related activities performed at any other site away from the Company’s premises including transportation provided by the Employer for undertaking such a journey.
- (iii) Any place visited by the Employee, arising out of or during the course of employment.

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4. COMMITTEE:

- a. The Internal Committee (“IC”) has been constituted by the Employer to consider and redress the complaints of sexual harassment in accordance with the provisions of Section 4 of the Act. The names and details of the Presiding Officer and members of the Committee is provided below:

Sr. No.	Name	Designation	Committee	Contact Details (Email & Phone Number)
1.	Ms. Aayasha Khan	Head- HR & Administration	Presiding Officer	aayasha.khan@xolopak.com +91 7715047492
2.	Ms. Jayeeta Roy	AVP-Legal	IC Member	jayeeta.roy@xolopak.com +91 84211 08480
3.	Mr. Rakesh Kacchwah	NSM- Specialty Paper	IC Member	rakesh.kacchwah@xolopak.com +91 91688 22959
4.	Ms. Gaytri Nair	External Member	External Member	gayatri@lexposh.com +91 9342059673

- b. The Presiding Officer and every member of the Committee shall hold office for a period of three years from the date of their nomination. In the event any one of the Committee members cannot continue to be the member for any reason whatsoever, the Employer shall replace such a member immediately but not exceeding [15 (fifteen)] days from the date of vacancy. Where the Presiding Officer or Member of the IC contravenes the provisions of the Act or facing a disciplinary proceeding or convicted in a civil or a criminal proceeding, they shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination by the Employer. The Employer shall, thereafter, update the POSH Policy and notify the newly reconstituted Committee to all concerned forthwith. At least one half of the total members so nominated shall be women.
- c. A minimum of 3 members (Including the Presiding Officer) is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer and at least two members.
- d. The Committee members will meet whenever the Presiding Officer calls for a meeting to discuss any complaint registered or for such other purposes, as she may deem fit.
- e. The proceedings of the meeting will be documented and filed in a separate file labelled as “Highly confidential- Sexual/Anti-Harassment discussion forum”. The file will be in the custody of the Presiding Officer at all times.

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5. POWERS OF ICC

- a. The ICC shall have the same powers as 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 on oath.
 - (ii) Requiring the discovery and production of documents.
 - (iii) Any other matter which may be prescribed.
- b. The ICC shall be responsible, among others, for the following:
 - (i) Receiving complaints of sexual harassment at the Workplace.
 - (ii) Initiating and conducting inquiry as per the established procedure.
 - (iii) Submitting findings and recommendations of inquiries.
 - (iv) Coordinating with the Employer in implementing appropriate action.
 - (v) Maintaining strict confidentiality throughout the process as per established guidelines.
 - (vi) Submitting annual reports in the prescribed format under the relevant legislations.

6. COMPLAINTS AGAINST SEXUAL HARASSMENT:

- a. Any Aggrieved Woman who alleges that she is sexually harassed at workplace, shall submit a complaint of the alleged incident(s) to any member of the Committee in writing or by email with her signature within 3 (three) months from the date of occurrence of the incident and in the case of series of incidents, within a period of 3 (three) months from the date of the last incident. If for any reason, the Aggrieved Woman is unable to file the complaint within the prescribed period, the IC may condone the delay for a further period of 3 (three) months, if the IC is satisfied that there is a sufficient cause for the delay.
- b. The Aggrieved Woman shall file the complaint in writing to poshicc@xolopak.com. In case the complaint cannot be made in writing, the Presiding Officer or any member of the IC shall render all reasonable assistance to the woman for making the complaint in writing.
- c. The Committee will maintain a register to note the complaint received by it and keep the contents confidential at all times.
- d. If the aggrieved woman is unable to lodge the complaint on account of her physical incapacity, the following persons may do so on her behalf:
 - (i) Legal heir, relative or friend
 - (ii) Co-worker
 - (iii) An officer of the National Commission for Women or State Women's Commission
 - (iv) Any person having the knowledge of the incident, with the written consent of the aggrieved woman.

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- e. If the aggrieved woman is unable to lodge the complaint on account of her mental incapacity, the following persons may do so on her behalf:
 - (i) Her relative or friend; or
 - (ii) A special educator; or
 - (iii) A qualified psychiatrist or psychologist
 - (iv) The guardian or authority under whose care she is receiving treatment; or
- f. Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
- g. Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir.
- h. If the initial complaint is made to a person other than a Committee Member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the Internal Committee immediately and/or direct the Complainant to approach the IC forthwith.
- i. The Complainant shall submit six copies of the complaint along with supporting documents and the names and addresses of the witnesses. Upon receipt of the complaint, the Committee shall, within a period of 7 working days, send a copy of the complaint to the Respondent. The Respondent shall file a reply to the complaint along with his/her list of documents and names and addresses of witnesses within 10 working days of receiving the copy of the complaint.
- j. In the event, the complaint does not fall under the purview of Sexual Harassment, or the complaint does not fall within the ambit of Sexual Harassment, the same would be forwarded to the appropriate authority in the Company.

7. RESOLUTION THROUGH CONCILIATION:

- a. The IC, may, before initiating an enquiry and at the request of the aggrieved woman, take steps to settle the matter between her and the Respondent through conciliation. However, there can be no monetary settlement during conciliation.
- b. Where a settlement has been arrived at, the IC shall record the settlement and forward the same to the employer to take action as specified in the recommendation.

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- c. The IC shall provide the copies of the settlement so recorded to the Aggrieved Woman, the Respondent and the Employer.
- d. Where a settlement is arrived at, no further enquiry shall be conducted by the IC.

8. ENQUIRY INTO COMPLAINT:

- a. The Committee shall initiate inquiry in the following cases:
 - (i) If conciliation has not been requested by the aggrieved woman; or
 - (ii) If conciliation has not resulted in any settlement; or
 - (iii) If any term(s) or condition(s) of the settlement has not been complied with by the Respondent.
- b. The IC shall proceed to make an inquiry into the complaint in accordance with the service rules applicable to the Respondent, and where no such rules exist, in such manner as may be prescribed under the POSH Act and the Rules therein. The IC shall, at all times, conduct the inquiry in accordance with the principles of natural justice.
- c. No legal practitioner shall be allowed to represent any party at any stage of the inquiry procedure.
- d. In conducting an inquiry, a minimum of three Members of the ICC including the Presiding Officer shall be present.

9. INTERIM RELIEF

- a. During the pendency of an inquiry, on a written request made by the Complainant, the Committee may recommend to the employer to -
 - (i) transfer the complainant or the Respondent to any other Workplace.
 - (ii) grant leave to the Aggrieved Woman up to a period of 3 months, in addition to the leave she would be otherwise entitled to.
 - (iii) restrain the Respondent from reporting on the work performance of the Aggrieved Woman or writing her confidential report, and assign the same to another officer; and
 - (iv) grant such other relief as may be appropriate.
- b. On implementation of the interim measures, the Employer shall send the report of such implementation to the IC.

10. TERMINATION OF INQUIRY

- a. The ICC may terminate the inquiry or give an ex-parte decision after providing a 15-day notice period in writing, if either of the parties remain absent for 3 consecutive hearings, without sufficient cause.

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11. INQUIRY PROCEDURE

- a. The IC shall conduct the inquiry in an impartial, fair and unbiased manner.
- b. If the Complainant or the Respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of such witness/es. The witnesses produced by the Parties shall be interviewed & their statements shall be recorded. The IC may also call such other witnesses, as it deems fit. All the proceedings of the inquiry shall be minted and documented. Detailed notes of the meetings that are prepared by the ICC shall be shared with the Complainant and the Respondent. If either party desires to cross examine any witness, the IC shall facilitate the same, either by questionnaire or through other methods after examining the condition of the concerned persons. The IC shall avoid a face-to-face meeting between the Complainant and the Respondent and never encourage the parties to sort out the issue on their own.
- c. Before concluding the inquiry, the IC shall share its findings of the inquiry to both the Parties in order to make their respective representation to the Committee.
- d. The IC shall conclude the inquiry only after taking note of the representation from the Complainant and the Respondent.
- e. The inquiry shall be completed within a period of 90 days from the date of commencement of the inquiry.
- f. The IC shall prepare a report within 10 days of completing the inquiry and share the same with the Complainant, Respondent and the Employer.
- g. The Employer shall take action on the recommendations made by the IC within a period of sixty days and shall confirm such implementation to the Committee.

12. COMPLAINT UNSUBSTANTIATED

- a. In case the ICC arrives at the conclusion that the allegation against the Respondent has not been proved, the ICC shall recommend that no action is required to be taken.

13. COMPLAINT SUBSTANTIATED

- a. In the event, the Respondent is found guilty after the inquiry, the ICC may recommend to the employer to take action, including but not limited to the following disciplinary action:
 - (i) Written apology, reprimand, warning, censure.
 - (ii) Withholding promotion/ pay raise/ increment.
 - (iii) Termination.
 - (iv) Counselling.
 - (v) Community service.
- b. The ICC may also recommend financial compensation to the Complainant, to be paid by the Respondent. While deciding the amount they shall take into consideration:
 - (i) Mental trauma, pain, suffering, and emotional distress caused.
 - (ii) Medical expenses incurred.

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- (iii) Loss of career opportunity.
- (iv) Income and financial status of the respondent.

14. MALICIOUS ALLEGATIONS

- a. In case the ICC arrives at the conclusion that the allegation against the Respondent is malicious, it would make such recommendations as it may deem fit to the Employer in accordance with the POSH Act read with the applicable service rules. However, a mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through the inquiry. The action recommended should be similar to the ones proposed for the Respondent in case of substantiated complaints.

15. APPEAL

- a. Any party not satisfied or further aggrieved by the implementation or non- implementation of recommendations made, may appeal to the Appellate Authority notified under Section 2(a) of the Industrial Employment (Standing Orders Act), 1946 within a period of 90 days from the date of communication of the recommendations.

16. DUTIES OF THE EMPLOYER:

- a. Provide a safe environment at the Workplace which shall include safety from the persons coming into contact at the Workplace.
- b. Provide necessary facilities to the IC as the case may be, for dealing with complaint and conducting the enquiry.
- c. Assist in securing the attendance of the Respondent and witnesses before the IC, as the case may be.
- d. Make available such information and provide such support to the IC, as the case may be, as it may require having regard to the complaint made.
- e. Treat sexual or any kind of harassment as a misconduct under the services rules and initiate action for such misconduct.
- f. As a part of the process and the definition of this policy, the identity of all the concerned will always be kept discreet/private.

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17. PROTECTION AGAINST VICTIMIZATION:

Harassment or victimization of the complaint will not be tolerated and may constitute sufficient ground disciplinary actions even leading to dismissal of the concerned employees. Similarly malicious allegations by the Complainant may result in strict disciplinary action against him/her.

18. FILING OF RETURNS:

The IC shall prepare in each calendar year an annual report in terms of the Act and Rules and submit it to the District Officer. The District Officer shall ensure that the same forms part of the annual report of the Company under the Companies Act, 2013 and shall also submit to the concerned Government Authorities, if required.

19. DISSEMINATION OF THE POLICY:

A copy of this Policy shall be given to all employees and to all new recruits and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.

20. REVIEW:

This Policy was adopted on August 2024 and will be reviewed once in [3] years at the discretion of the Employer.

21. MORE INFORMATION:

Any query or information on this Policy, please contact poshicc@xolopak.com

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