

## Policy on Prevention, Prohibition, and Redressal of Sexual Harassment at Workplace

### INTRODUCTION

The **Company** believes that all employees and all those who deal with company have the right to work with dignity. To achieve the goal, **Company** is committed to create healthy and safe working environment where employees can report sexual harassment and deliver their best without any inhibition, threat or apprehension.

Under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redress) Act, 2013 it is responsibility of the **Company** to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required. The **Company** has therefore set out a policy namely **Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (hereafter referred to as the Policy)**. This policy flows from the Sexual Harassment of women at workplace (Prevention, Prohibition & Redressal) Act, 2013. Consequently, the complaint mechanism and reliefs as per this **Policy** are primarily focused on women. With respect to men, complaint mechanism and reliefs as per this **Policy** are non-statutory and at the discretion of the **Company**. It is the responsibility of all those connected with the **Company** to comply with this **Policy**.

### OBJECTIVE

- a. Provide work environment free from all forms of sexual harassment.
- b. Express zero tolerance to any sexual harassment at workplace through Prevention, Resolution and Deterrence of acts of sexual harassment.

### SCOPE

- a. The **Policy** applies to all employees and third parties who engage with and / or visit the **Company**. Persons can be employed on regular, temporary, ad hoc or daily wage basis. These include contract workers, consultants, retainers, probationers, trainees, and apprentices or called by any other such name by the **Company**. This **Policy** also applies to all vendors, contractors, customers, agents and suppliers of the **Company**.
- b. **Policy** will be incorporated in the service conditions of all employees explicitly or by inferences and will come into effect immediately. All parties connected with the **Company** are mandated to follow this **Policy** and to work collaboratively to prevent sexual harassment.

### DEFINITIONS

- a. **Aggrieved person**: Any person (employed, connected and visiting the Company) who complained of sexual harassment.
- b. **Respondent**: Any person (employed, connected and visiting the Company) against whom aggrieved person complained.
- c. **Workplace**: Includes all offices and branches in the **Company**, all instances reported within the **Company** and in any place visited by the employee arising out of or during the employment including transportation provided by the **Company** for undertaking such journey.
- d. **Sexual Harassment<sup>i</sup> (see end note)**: Includes one or more of the following unwelcome<sup>ii</sup> (**see end note**) acts or behaviour (whether directly or by implication)
  - i. Physical contact or advances (e.g., pushing, grabbing, jostling, touching the body and / or attempts to do so).
  - ii. Demands and requests for sexual favours (e.g., unwanted sexual attention, forcing to spend time together).
  - iii. Sexually coloured remarks (e.g., verbal sexual innuendos such as jokes, suggestions, or hints about sexual behaviour, comments about physical appearance, offensive comments abusive language).
  - iv. Showing pornography (e.g. Display, giving or sending of pornography in the form of pictures, books, magazines, postcards, photos, animation, sound recording, film, video, and video games

done personally and/ or via documents, or by telephone, cell-phone messages, web site communication, or emails).

- v. Any other physical, verbal and non-verbal behaviour of sexual in nature (e.g., Non-verbal communication such as staring, gestures of sexual nature, following the person, stalking, persistent visiting, telephoning, sending of cell-phone messages, or other invasions of personal privacy, spreading rumours about sexuality, gender and / or character of a person).

In addition to above definition, if there are following circumstances along with or apart from, it shall amount to sexual harassment (creation of hostile work environment).

e. **Hostile Work Environment<sup>iii</sup> (see end note) will include the following:**

- i. Direct and / or indirect promise of preferential (special) treatment in employment.
- ii. Direct and / or indirect threat of detrimental (harmful / damaging) treatment in employment.
- iii. Direct and /or direct threat about present or future employment status.
- iv. Creation of conditions and situations that interfere with work or creation of an intimidating or offensive or work environment.
- v. Humiliating treatment likely to affect health and / or safety of the aggrieved person.

## COMPLAINT MECHANISM

There will be an Internal Committee (IC) constituted by an order in writing at all the two zones i.e., North (Amritsar) & West (Mumbai and Ahmedabad) each across the country.

a. **Composition of the Internal Committee (IC)**

- The Internal Committee shall be presided by a woman employee at a senior level and not less than half of its members shall be women.
- Not less than two members from employees shall be appointed with the Internal Committee. Further, to ensure fairness and impartiality the Internal Committee shall involve one external member.

b. **Tenure and Working of the Internal Committee (IC)**

The Internal Committee shall hold office for period not exceeding 3 years from the date of nomination.

- The Internal Committee shall hold office for period not exceeding 3 years from the date of nomination.
- A quorum of 3 members is required to be present for the meetings and proceedings to take place. The quorum shall include the presiding officer of the Internal Committee, one member of the Internal Committee and the external member.
- The Internal Committee members will regularly meet at the end of every six months for the purpose of implementation of the policy and monitoring the progress done till date.
- Complaint of sexual harassment regarding a member / chairperson and breach of confidentiality by the member / chairperson will lead to immediate and automatic disqualification of the concerned person from the Internal Committee as a member / chairperson.

The Internal Committee (IC) consists of the following persons:  
Nexus Elante Mall

Sr. No	Committee Members Name	Position	Contact No.	Email ID
1	Farzana Kapadia	Chairperson	88799 79558	Farzana.Kapadia@nexusmalls.com
2	Monica Sharma	Internal Member	09518877622	Monica.Sharma@nexusmalls.com
3	Shalini Bisht	Internal Member	98886 90817	<u>Shalini.Bisht@nexusmalls.com</u>
4	Rohan Vaswani	Internal Member	98195 00508	Rohan.Vaswani@nexusmalls.com
5	Vandna Bhalla	Internal Member	89686 61144	<u>Vandna.Bhalla@nexusmalls.com</u>
6	Simran Saini	Internal Member	9130865812	<u>simran.saini @nexusmalls.com</u>
7	Anagha Sarpotdar	External Member	99309 05927	<u>anagha.sarpotdar@gmail.com</u>

Nexus Esplanade

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3	Shrabani Dash	Internal Member	72054 89185	<u>shrabani.dash@nexusmalls.com</u>
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4	Rohan Vaswani	Internal Member	98195 00508	<a href="mailto:Rohan.Vaswani@nexusmalls.com">Rohan.Vaswani@nexusmalls.com</a>
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5	Ashwith Shetty	Internal Member	88612 43329	ashwith.shetty@nexusmalls.com
6	Rohan Vaswani	Internal Member	98195 00508	Rohan.Vaswani@nexusmalls.com
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6	Rohan Vaswani	Internal Member	98195 00508	Rohan.Vaswani@nexusmalls.com
7	Anagha Sarpotdar	External Member	99309 05927	anagha.sarpotdar@gmail.com

**Nexus Celebration**

Sr. No	Committee Members Name	Position	Contact No.	Email ID
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2	Monica Sharma	Internal Member	09518877622	Monica.Sharma@nexusmalls.com
3	Shefali Bajaj	Internal Member	80034 45544	<a href="mailto:shefali.bajaj@nexusmalls.com">shefali.bajaj@nexusmalls.com</a>
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5	Amit Jaimini	Internal Member	9928446999	<a href="mailto:Amit.jaimini@nexusmalls.com">Amit.jaimini@nexusmalls.com</a>
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**Nexus Vijaya**

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4	Sowmiya D	Internal Member	7305522553	sowmiya.damodaran@nexusmalls.com
3	Charu Patki	Internal Member	9833594450	Charu.Patki@nexusmalls.com
6	Rohan Vaswani	Internal Member	98195 00508	Rohan.Vaswani@nexusmalls.com
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**Select CityWalk**

Sr. No	Committee Members Name	Position	Contact No.	Email ID
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2	Monica Sharma	Internal Member	09518877622	Monica.Sharma@nexusmalls.com
3	Radhika Gogia	Internal Member	9873089897	radhika@selectcitywalk.com
4	Prachi Bahiri	Internal Member	9891257417	prachi@selectcitywalk.com
5	Uma Sharma	Internal Member	9811806859	uma@selectcitywalk.com
6	Jitendra Singh Chikara	Internal Member	7896016367	<a href="mailto:jitender@selectcitywalk.com">jitender@selectcitywalk.com</a>
7	Rashmi Anand	External Member	9810215559	rashmianand66@gmail.com

The Committee will take cognizance of referrals made only to the Committee members or the Secretary who will notify the remaining Committee members. Complaints can also be registered via email to Chief Human Resources Officer at [rohan.vaswani@nexusmalls.com](mailto:rohan.vaswani@nexusmalls.com)

In accordance with the provision of the law, the Committee shall review a complaint made by an aggrieved employee or person working for Nexus Select Mall Management Private Limited or any of its subsidiaries which is received within a period of three months from the date of the incident or in case of a series of incidents within three months from the date of the last incident. If the Committee determines that harassment has occurred or determines that there has been a false or malicious complaint or false evidence, it may administer any combination of disciplinary measures consistent with the severity and extent of the misconduct. Such measures include without limitation (subject to applicable law):

- Verbal warning:
- Additional training:
- Written warning:
- Requirement of a written apology:
- Restitution and/ or fines:
- Suspension with or without pay:
- Impact performance evaluations:
- Salary reduction and/or demotion:
- Undergoing counselling or carrying out community service:
- Termination: and

Such additional action as may be required under law.

#### **NO RETALIATION**

- a. The **Company** has zero tolerance to retaliation against the aggrieved person and all others who report such misconduct.
- b. Any act of retaliation should be reported to the **Company** by the aggrieved person and witnesses.
- c. Appropriate steps will be taken by the **Company** to ensure that retaliation will not be done and / or continued and stopped and / or corrected if reported the aggrieved person or person who, in good faith, has participated in or provided information pertaining to incident/s of sexual harassment, regardless of whether the complaint was upheld.
- d. Individuals engaging in retaliatory conduct will be subject to disciplinary action by the **Company**.

#### **CONFIDENTIALITY**

- a. Publication, communication or information to public and media in any manner contents of the complaint, identity and addresses of the aggrieved person, respondent and witnesses, information related to conciliation or enquiry proceedings, recommendations by the Internal Committee, and action taken by the employer shall not be done and shall be treated as confidential.
- b. Information may be disseminated regarding justice to aggrieved persons under this **Policy** without disclosing name, address, identity, or any other particulars leading to identification of the persons involved.

#### **CONCLUSION**

The **Company** is committed to the implementation of this **Policy** both in letter and in spirit. The **Policy** is subject to modifications periodically as per changing times, needs of the organization and/or change in law. Please refer to the links below for more information on the Sexual Harassment of women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

<http://wcd.nic.in/wcdact/womenactsex.pdf>

**TIMELINES AS PER LAW**

<b>Activity</b>	<b>Time Limit</b>
Complaint Registration with the Internal Committee	3 months from the incident of sexual harassment or last incident in case of series of incidents.
Extension for complaint registration to be given by the IC	3 months
Documents to be sent to the respondent	Within 7 days of receipt
Respondents reply to be obtained	Not exceeding 10 days
Completion of Inquiry by the Internal Committee	90 days
Submission of Report by the Internal Committee	10 days within completion of inquiry
Action to be taken by the employer on the final recommendations by the Internal Committee	Within 60 days

**END NOTES**

- a. Sexual harassment can happen both in direct and / or indirect manner. It could be asking something in exchange (Quid Pro Quo) and / or difficult, intimidating and offensive work environment (Hostile Work Environment) that interferes with the work and performance at work. It could be either before and / or after incident of sexual harassment. The behaviour may be a single incident or continuous unwelcome behaviour.
- b.
  - i. Unwelcome denotes unwanted, undesirable and uninvited behaviour that makes a person feel uncomfortable. A behaviour or a gesture while may be acceptable to one person, need not be acceptable and comfortable for another person. Intention of the person and/or motive behind the behaviour will not be considered when it comes to classifying/naming behaviour as sexual harassment. Sexual harassment cannot be justified and defended from this point of view. If the person was offended, humiliated or intimidated by the behaviour of the person or even felt so, it will fall within the purview of this **Policy**. It is important how the person perceives/understands /interprets the behaviour. Impact and effect of the sexual harassment on the person is important.
  - ii. The behaviour will be held as unwelcome, if the person has made it clear that the behaviour is offensive and unwelcome. This will be pronounced where the person of the behaviour is junior and indicating that the behaviour is unwelcome to a senior would be difficult.

Examples: granting or denying recruitment, granting or denying promotion, threat of demotion, threat of termination or suspension, achieving or denying a privileged position such as a board member / special committee member, positive or negative performance appraisal result / career advancement, threats to spoil career, increased or decreased remuneration / bonus / allowances, issuing or denying any other form of benefit or enhancement such as travel overseas, or training, or conference attendance or such related activities.

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- ii. The behaviour will be held as unwelcome, if the person has made it clear that the behaviour is offensive and unwelcome. This will be pronounced where the person of the behaviour is junior and indicating that the behaviour is unwelcome to a senior would be difficult.
- c. Examples: granting or denying recruitment, granting or denying promotion, threat of demotion, threat of termination or suspension, achieving or denying a privileged position such as a board member / special committee member, positive or negative performance appraisal result / career advancement, threats to spoil career, increased or decreased remuneration / bonus / allowances, issuing or denying any other form of benefit or enhancement such as travel overseas, or training, or conference attendance or such related activities.

#### **POLICY REVIEW**

The policy will continue to be in force unless superseded by a revised policy. The Company reserves the right to amend, abrogate, modify, rescind / reinstate the entire policy or any part of it at any time.