

Apicore Pharmaceuticals Private

Limited

Policy on

**Prevention of Sexual Harassment
of Women at Workplace - 2020**

[POSH 1.0]

Corporate Office:

Apicore Pharmaceuticals Pvt. Ltd.

**A- Wing, 901-902-903, Kanakia Wall Street,
Andheri Kurla road, Chakala, Andheri East,
Mumbai, Maharashtra, 400093, India.**

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1. OBJECTIVE

1.1. APICORE PHARMACEUTICALS PRIVATE LIMITED ("Company") is committed to:

- i. foster a professional, open and trusting workplace by providing a work environment that ensures every employee is treated with dignity and respect, and afforded equitable treatment.
- ii. be an equal employment opportunity provider, by not discriminating against the employees on the grounds of gender and providing a safe working environment to all its employees.

1.2. The Company had framed its Policy on Prevention of Sexual Harassment of Women at Workplace in February 2013, as approved by its Board of Directors and had constituted an internal committee for the inquiry and redressal of complaints for matters relating to sexual harassment of women. The Company has now updated its policy, in line with changes in law and industry practices, for providing greater protection to women employees from sexual harassment at Workplace and has launched this Apicore Pharmaceuticals Private Limited Policy on Prevention of Sexual Harassment of Women at Workplace, 2020 [POSH 1.0] ("Policy").

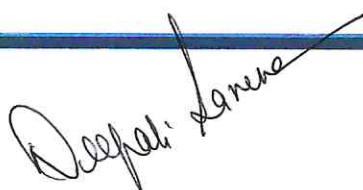
2. SCOPE:

This Policy is framed in accordance with The **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** and the rules framed thereunder ("**POSH Act**"), and covers complaints by all categories of women for sexual harassment at the workplace (as defined under the Act) in the context of Apicore Pharmaceuticals Private Limited Group, including employees, temporaries, trainees visitors, employees on contract or at client sites. This Policy is applicable with effect from May 01, 2022 being the date of approval of the policy by the Board of Directors in their meeting, and extends to all Employees (defined below) of the Company and its Indian subsidiaries and is deemed to be incorporated in the service conditions of all Employees of Apicore Pharmaceuticals Private Limited Group. **Our Policy is "Gender Neutral"**.

3. IMPORTANT DEFINITIONS:

3.1. **Sexual Harassment:** "Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour, whether directly or by implication, but not limited to:

- i. Any unwelcome sexually determined behaviour or pattern of conduct, that would cause discomfort and/ or humiliate a person at whom the behaviour or conduct was directed namely:
 - a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, whether implicit or explicit;
 - b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation;
 - c. Teasing, voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement;
 - d. Demand or request for sexual favours;
 - e. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body;
 - f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
 - g. Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.;
 - h. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest;
 - i. Giving gifts or leaving objects that are sexually suggestive;
 - j. Eve teasing, physical confinement against one's will or any such act likely;



- k. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- ii. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to Sexual Harassment:
- Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - Interference with the person's work or creating an intimidating or offensive or hostile work;
 - Humiliating treatment likely to affect health or safety environment; or
 - Humiliating treatment likely to affect health or safety.
- iii. An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the Aggrieved Woman.
- 3.2 **Aggrieved Woman:** "Aggrieved Woman" means, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent in the Workplace and includes contractual staffs, temporary staffs, or visitors.
- 3.3 **Complainant:** "Complainant" means an Aggrieved Woman or any person as mentioned in Section 8.1 below.
- 3.4 **Employee:** "Employee" means a person employed at a Workplace for any work on regular, temporary, adhoc or daily wage basis, either directly or by 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 domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called;
- 3.5 **Employer:** "Employer" means a person who is responsible for management, supervision and control of the Workplace, for the purpose of this Policy.
- 3.6 **Workplace:** "Workplace" means:
- Company office premises, Company-related activities performed at any other site away from the Company's premises, Company business party or get-to-gather or celebration, Company transit house or guest house or official hotel stay or any other such place, Company vehicle including official tour by air, land, rail or sea, visited by the Employee arising out of, or during and in the course of employment.
 - Any social, business or other functions where the conduct or comments may have an adverse impact on the Workplace relations.
 - Any place visited by the Employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey.
- 3.7 **Respondent:** "Respondent" means a person against whom a complaint of Sexual Harassment has been made by the Complainant.

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4. INTERNAL COMMITTEE

4.1 An Internal Committee ("IC") has been constituted by the Company under the POSH Act to conduct an inquiry and for redressal of a complaint of Sexual Harassment, having the members as listed in Schedule A.

5. COMPLAINTS MECHANISM

5.1 Who can make a complaint?

A complaint for Sexual Harassment may be made by any Aggrieved Woman who believes she is being sexually harassed or by any person who has knowledge of the incident, with her written consent or such other persons as mentioned below:

- i. If the Aggrieved Woman is unable to make the complaint on account of her physical incapacity, her legal heir, relative or friend, co-worker, an officer of the National Commission for Women or State Women's Commission, by any person who has knowledge of the incident, may do so on her behalf with her written consent.
- ii. If the Aggrieved Woman is unable to make the complaint on account of her mental incapacity, her relative or friend, a special educator; or a qualified psychiatrist or psychologist, guardian or authority under whose care she is receiving treatment; or any person who has knowledge of the incident, jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care.
- iii. If the Aggrieved Woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

5.2 Registering a complaint:

- i. Any of the above, may submit a detailed complaint of the alleged incident of Sexual Harassment in writing, along with supporting documents, and the names and addresses of the witnesses, to any member of the IC in writing with the Aggrieved Woman's signature, in six (6) copies within 3 months of occurrence of the incident of Sexual Harassment and in case of series of incidents of Sexual Harassment, within a period of three months from the date of the last such incident.
- ii. Any committee member may be informed or contacted on their email ids mentioned in Schedule A.
- iii. The IC may, 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 woman from filing a complaint in 3 months.

6. RESOLUTION

6.1 Through Conciliation:

At the request of the Aggrieved Woman, the IC may allow conciliation of the complaint between the Aggrieved Woman and Respondent. It may be noted here that monetary settlement shall not be the basis of such conciliation. Upon such settlement being arrived at by IC, it shall record such settlement and forward the same to the Company.

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6.2 Through Formal Inquiry:

- i. In case where a settlement is not feasible or could not be arrived at through conciliation (as per clause 6.1 above), the IC will conduct an inquiry into the complaint. Additionally an inquiry may also be initiated if the Aggrieved Woman informs the IC that any terms of settlement (as per clause 6.1 above) has not been complied with by the Respondent.
- ii. The IC within 7 (seven) working days of receiving the complaint, shall forward one copy thereof to the Respondent for obtaining a response.
- iii. The Respondent within 10 (ten) working days of receiving the complaint, shall file his reply to the complaint along with list of supporting documents, names and addresses of witnesses.
- iv. The IC shall consider the reply from the Respondent and initiate an inquiry. The Complainant or the Respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the IC. IC shall hear both the Complainant and the Respondent on date(s) intimated to them in advance and the principles of natural justice will be followed by the IC.
- v. In the event of failure to attend personal hearing before IC, either by the Complainant or the Respondent, on three consecutive dates (intimated in advance), the IC shall terminate the inquiry proceedings or give an ex-parte decision, as applicable. However, the IC shall serve a notice in writing to the party (ies), 15 (fifteen) days in advance, before such termination or the ex-parte order.
- vi. The inquiry process shall be completed within a maximum period of 90 (ninety) days from the date of receipt of the complaint.
- vii. The IC shall within 10 (ten) days from the date of completion of inquiry, provide a report of its findings to the Employer and such report shall also be forthwith made available to the Complainant and Respondent.
- viii. Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code, (45 of 1860) or under any other law; it shall be the duty of IC to immediately inform the Complainant of her right to initiate action in accordance with the law with the appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy.


7. INTERIM RELIEF

7.1. During pendency of the inquiry, on a written request made by the Complainant, the committee may recommend to the Employer to:

- i Transfer the Aggrieved Woman or the Respondent to any other Workplace; or
- ii Grant leave to the Aggrieved Woman of maximum 3 months, in addition to the leave she would be otherwise entitled; or
- iii Grant such other relief to the Aggrieved Woman as may found to be appropriate; or
- iv Restraint the Respondent from reporting on the work performance of the Complainant.

7.2. Once the recommendation(s) of interim relief are implemented, the Employer shall inform the IC regarding the same.

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8. PROHIBITION ON DISCLOSURE OF INFORMATION

This Policy and the POSH Act prohibits any person including IC members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the Aggrieved Woman, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the IC during the proceedings. Any violation thereto shall also be subject to applicable disciplinary action of the Company. Further, the Employer shall impose monetary sanctions as per provisions of the POSH Act.

9. PROTECTION TO COMPLAINANT

The Company is committed to ensuring that no Employee who brings forward a Sexual Harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue and/or produces any forged or misleading document) will be subject to applicable disciplinary action of the Company.

10. APPEAL

Any person aggrieved by the recommendation of IC may prefer an appeal under the relevant provisions of the POSH Act.

11. DISCIPLINARY PROCEEDINGS

Pursuant to written recommendation of the Employer based on the report and findings of IC and subject to the final outcome of the appeal proceedings (as per clause 19 above), if any, necessary disciplinary proceedings may be initiated against the Respondent in terms of the applicable disciplinary action of the Company.

In the event of the Complaint being found false/with malafide intentions/conspiracy at workplace/politically motivated/with vested interests – the Company reserves the right to take disciplinary action against such complainant to ensure healthy work experience for all.

12. SAVINGS AND REPEAL

Prevention of Sexual Harassment Policy (version 1, dated February, 2013) hereby stands substituted with this Policy with effect from February 5, 2020. All existing inquiry proceedings and/or appeals initiated under the withdrawn policy will be deemed to have been made under this Policy and same shall continue accordingly.

13. AMENDMENT TO THE POLICY

The Company may revise the Policy as may be advised from time to time. Any change in the Policy shall be notified to all concerned. This might take place due to certain Court Judgement or change in policy by the Government.

Deepak Kumar

21/02/2020

K. J. Singh

SCHEDULE A
INTERNAL COMPLIANCE COMMITTEE (ICC)

Sl. No.	Name, Designation, Contact Details	President	External Member	Member	Member	Member	Member
1.	Mr. Raju Foujdar Designation: Global CHRO E-mail ID: raju.foujdar@apicore.com rajuf@rkpharmainc.com Mobile No. 93008 99392			Yes			
2.	Mr. Maulik Suthar Designation : Factory Manager E-mail ID: maulik.suthar@apicore.com Mobile No. 95377 06765				Yes		
3.	Mr. Piyush Dhanak External Member E-Mail ID: danakpiyush@hotmail.com Mobile No. 98243 03045		Yes				
4.	Mrs. Deepali Saxena Designation: Presiding Officer E-Mail ID: deepali.saxena@apicore.com Mobile No. 82384 22233	Yes					
5.	Mrs. Krupa Pandya Designation: Manager HR E-mail ID: krupa.vyas@apicore.com Mobile No: 99741 84547					Yes	
6.	Mrs. Dhruvi Parikh Designation: Sr. Executive QA E-mail ID: dhruvi.parikh@apicore.com Mobile No: 97124 89441						Yes
7.	Internal Complaints Committee Common E-Mail ID: posh@apicore.com	Group E-Mail ID	posh@apicore.com				

*Changes will take place in accordance with Government Policies/guidelines.
Any change in constitution of the IC shall be notified from time to time.*



Deepali Saxena
President POSH



Raju Foujdar
Global CHRO

