

ANTI-HARASSMENT POLICY

COMPANIES COVERED:

Jaykay Enterprises Ltd.

JK Urbanscapes Developers Ltd.

Other affiliates of JK Urbanscapes Developers Ltd. and Jaykay Enterprises Ltd.

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INTRODUCTION

Harassment, in any form whatsoever, affronts the principles and ethics for which the organization stands. At the very outset, the organization neither promotes nor endorses harassment of any kind, in any form within the organization, and inculcates a strong work ethic amongst its workforce, keeping in mind the interests of its stakeholders.

The present policy defines harassment and aims to establish mechanisms to prevent all forms of harassment and resolve any complaints so categorized and received under the policy. The policy aims to provide practical guidance on what may constitute harassment and the manner in which grievances ought to be handled by the people responsible for the resolution of such grievances, under the instant policy.

SCOPE AND APPLICABILITY

This policy covers harassment occurring in the workplace and in other settings where the employees may be present, in connection with their employment at the organization. As such, the policy covers all employees, regardless of their age, gender, sexual orientation(s) & preferences etc., working in the following companies, forming part of the larger umbrella organization-

(a) Jaykay Enterprises Ltd.

(b) JK Urbanscapes Developers Ltd.

(c) other affiliates of JK Urbanscapes Developers Ltd. and Jaykay Enterprises Ltd.

The persons, designated as "employees" under this policy, include staff members, contractors, interns, volunteers, occasional workers, contractual workers. The term contractual workers & contractors shall include all those persons who are employed or engaged by the organization under a service contract, service agreement or a consultancy agreement, for any specialized or non-specialized, skilled or unskilled purpose whatsoever.

BASIC PRINCIPLES

At the outset, the organization declares and affirms that it does not endorse harassment in any form or manner whatsoever, and the organization urges its employees to refrain from engaging in any behavior which may amount to harassment under the purview of the present policy.

Broadly, the basic principles governing the present policy include:

- (a) Every employee of the organization shall be handed over a copy of this policy, along with other prevailing policy/ies, at the time of their induction. Previously inducted employees shall be provided with a copy of the instant policy. Employees are advised (and are expected) to apprise themselves of the contents of the present policy, and clarify any queries arising here from, if any, with the human resources department of their respective workplace/organization.
- (b) Every employee of the organization shall treat the other employee fairly, without any bias, prejudice, verbal or physical abuse and with courtesy, respect and dignity, regardless of their rank, designation or contractual status within the organization.
- (c) Harassment is intolerable at the organization, as the organization is committed to ensuring an environment free of abuse of authority or biasness. Every employee shall contribute to uphold the present principle.
- (d) The organization shall actively focus on preventive action against harassment. The organization shall foster a culture of inclusion and encourage employees to stand up against harassment, bullying or prejudicial behavior, and contribute to a fulfilling and positive work environment. The organization shall endeavor to create a climate of trust and tolerance amongst the employees, free of all forms of harassment. The organization shall ensure that proper channels of communication and redressal are maintained to prevent and resolve grievances arising against harassment.
- (e) All allegations of harassment shall be treated seriously, and the management of the organization shall be inclined to resolve all instances or grievances of harassment as may arise, and the management is made aware of them. Employees are encouraged to report any incidents of harassment promptly, without the fear of being outcast, or being shunned by their peers, or their role in the organization being adversely affected. The organization should endeavor to put in place a simple yet effective grievance redressal mechanism, capable of dealing with even informal complaints.

- (f) Pursuant to the investigation of any grievance, harassment shall be sanctioned and the harasser, shall be subject to reprimand, termination or other legal consequences, depending on the gravity of the situation. On the other hand, all employees must keep in mind that harassment itself is a serious allegation, and employees are prohibited from making malicious, false or ill-motivated complaints against harassment, for ulterior motives. The alleged harasser shall also be provided with adequate opportunity/ies to respond to allegations of harassment and defend themselves, by only fair means.

Please note that the aforesaid guidelines are preliminary and non-exhaustive, being moderately descriptive in nature, in relation to the present policy. Recipients of this policy are advised to read this policy in its entirety and understand the contents hereof, before reaching any conclusion(s) or inference(s).

DEFINITION AND FORMS OF HARASSMENT

The present section of this policy defines harassment and is defined with the understanding that the organization has no intention of limiting or restricting its interpretation of harassment or during resolution of grievances received under this policy.

However, there may be room for interpretation and misunderstandings encountered during the perusal of this policy. In all such cases, employees are requested to bring forth such observations, discrepancies to the attention of the human resources department of the organization. This shall prevent any conclusions being drawn up in haste.

(A) Definition

For the purposes of this policy, harassment shall be defined in the following manner-

- (a) Individual or group behavior afflicting the personality, dignity, physical integrity, sexual orientation, professionalism or other attributes of another individual, within the organization; or
- (b) Individual or group behavior which leads to the creation of a hostile, degrading, offensive, humiliating, under-stimulating and unprofessional work environment, or

(B) Categories of Harassment

The aforesaid definition of harassment, at best, is simplistic, in order to define the characterizing attributes of 'harassment' within an organization. Harassment can further be categorized as-

- (i) Persistent, unjustified and unsolicited negative attacks of unprofessional feedback, motivated by personal biases, intended to offend another employee.
- (ii) Engagement in gossip, informal communication or subjecting one to ridicule to hurt one's professional reputation and inter-personal relationships.
- (iii) Intentionally excluding or isolating an employee from professional or group activities at the workplace.
- (iv) Passing offensive comments or engaging in offensive behavior, regarding one's ethnicity, physical attributes, catcalling, religion, regionality etc.
- (v) Abuse of authority or power, which includes but is not limited to the improper use of a position of influence within the organization, in order to influence the career, performance evaluation or promotion of an individual. Such abuse may also lead to the creation of a hostile work environment, which

may inculcate behavior like intimidation, use of threats, coercion, engagement in corrupt practices etc.

- (vi) Repeated or persistent aggression, whether physical, verbal or psychological, having a negative effect on conditions at the workplace or behavior generally aimed at demeaning, offending or intimidating an individual, and potentially affecting their health (whether physical or mental), career, professional advancement or dignity.
- (vii) Sexual harassment comprises unwelcome sexual advance(s), requesting sexual favour(s), improper conduct when such unsolicited advances are refused. Sexual harassment also occurs when sexual favours are requested from an employee, by another employee in a position of power, in return for professional advancement within the organization, or the threat of detrimental action in case of refusal. Such harassment may also include advance(s) made either explicitly or implicitly, or when such advance(s) affect and/or have the purpose of deliberately affecting the individual's work performance by creating an intimidating and hostile work environment.

Sexual harassment, generally, would constitute the following-

- (A) Deliberate physical contact;
- (B) Sexually-colored gestures or remarks, including sexually explicit jokes, anecdotes, innuendo;
- (C) Offensive phone call(s), letter(s) or email(s);
- (D) Showing or displaying obscene or offensive images or texts;
- (E) Sexual advance(s), proposition(s) or undue pressure of such nature;

A separate policy against sexual harassment of female workers is available within the organization, formulated in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter, "POSH policy"). Please refer to the same, wherein procedure for grievance redressal and zero tolerance towards sexual harassment of female colleagues is delineated. Please contact the human resources department if you are not in receipt of such policy.

The POSH policy, as in prevalence within the organization, calls for zero tolerance for sexual harassment, in all its forms, and provides for the constitution of an "**Internal Committee**" for redressal of complaints received under the policy.

The POSH policy outlines the redressal process, which is summarized herein, as follows-

- (a) The aggrieved woman (as defined under the POSH policy) may make a complaint in writing, to the Internal Committee, within 3 (three) months of the date of the incident/series of incident(s) of sexual harassment.
- (b) The Internal Committee shall provide a copy of the complaint so received, to the respondent (harasser) within 7 (seven) working days from the date of receipt of the complaint by the Internal Committee, enabling the respondent to file their response to the complaint, along with supporting documents.
- (c) The procedure of adjudication of the complaint is also laid down in details, encompassing aspects such as conduct of hearings, Internal Committee's power to follow principles of natural justice, preparation of the inquiry report, actions to be taken by the Internal Committee during the pendency of the enquiry and the punishment after conclusion of the enquiry.
- (d) Overall, the Internal Committee is directed to resolve the complaint within 90 (ninety) days of its receipt. Upon completion of inquiry, the Internal Committee shall furnish an inquiry report consisting of its findings to the employer, or the District Officer (in this case, the organization/ associated companies to which the respective POSH policy shall apply). Such inquiry report shall be furnished to the employer within a period of ten days from the date of completion of the inquiry, and a copy of the report shall be provided to the parties as well.
- (e) The Internal Committee shall include, its recommendations within the inquiry report and the employer shall be liable to act upon such recommendations within sixty days of receipt of such report by the employer.

Please note that abiding by the POSH policy is mandatory in nature, and all recipients of the instant policy are required to go through the provisions of the POSH policy, in conjunction with the present policy. The redressal procedure therein is provided in detail under such POSH policy. Accordingly, employees are also required to attend the training sessions as organized from time to time, in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(C) The Dividing Line

The dividing line between harassment and other work-related conflicts may, at times, be difficult to establish. All situations of conflict and tensions at the workplace may not amount to harassment. For instance, in a particular department within the organization, the manager of a department is required to take decisions on a number of issues, such as the assignment of work to the department members, monitoring progress on assigned tasks etc. Care must be taken by the manager to take decisions based on the merit and professional attributes of the individual team members, defined objective criteria, and in

good faith. However, when such decisions are made based on extraneous considerations, and motivated by ulterior criteria, with the intent to abuse a position of authority or power, then such behavior may tantamount to harassment.

(D) Stakeholders' Roles and Responsibilities

For the purpose of this policy, employees, managers/supervisors and the Grievance Redressal Committee are identified as the stakeholders. The roles and responsibilities of each group of stakeholders are delineated under **Schedule-A** appended to this policy.

Each stakeholder, as defined hereinabove, shall be required to go through the charter of roles and responsibilities as under Schedule-A and provide a written acknowledgement and undertaking to their respective Human Resources Department, signifying their intent to abide by the charter and this policy.

REDRESSAL PROCEDURE

The following section outlines the steps that the organization shall take towards redressal of any complaints related to harassment.

(A) Prevention

The organization as a whole, and employees in general, shall take preventive actions, as may be necessary to deter or stop harassment, and ensure that it does not develop further. In this respect, managers and immediate supervisors have an important responsibility within their own team, and accountability for taking early or deterring action on potential or actual harassment within their team. Failure on the part of the managers or supervisors to fulfill such obligations shall constitute a breach of duty, which shall be reflected in their performance appraisal, and may also subject them to administrative or disciplinary action, as may be appropriate.

The managers shall have an additional responsibility of widely circulating, publicizing, engage in training, for all employees in their team.

(B) Complaint Procedure- Role of Managers/Supervisors

When faced with harassment, an employee/victim may opt to informally resolve such a situation as an initial attempt before formally lodging a complaint before the **"Grievance Redressal Committee" or "GRC"** the composition of which is provided hereunder. However, such a resolution is not mandatory, and the employee/victim may choose to file a formal complaint before the GRC.

The employee/victim may also report such harassment to their respective supervisor/manager, who shall take cognizance of such grievance immediately and-

- (i) In case the employee/victim and harasser belong to the same team/department, the supervisor shall attempt to resolve the differences between the parties, and act as the mediator who shall provide a trusted channel for dialogue and conciliation between the parties.
- (ii) In case the employee/victim and the harasser belong to different teams/departments or premises of the organization, the supervisor of the employee/victim shall escalate the complaint so received by the manager, directly to the GRC.

However, where the employee/victim feels that it shall not be efficacious to escalate the complaint to their own manager/supervisor, he/she may directly lodge their formal complaint with the GRC.

(C) The Grievance Redressal Committee ("GRC")

- I. The organization shall duly constitute a GRC, which shall consist of not less than 4 (four) members at any given time. At-least half of the members of the GRC shall

be women from the organization. The members of the GRC shall be impartial and shall be senior members of the management. The GRC shall designate one of their members as the **"Presiding Officer"**.

- II. Since the organization encompasses different corporate entities (such as companies, societies, charitable trusts, schools etc.), each premise/workplace shall have a sub-GRC, or a local committee, the composition of which shall be similar to the GRC at the organizational level. Such sub-GRC shall report to the organizational GRC about the complaint(s) received by the sub-GRC, and their resolution, on a quarterly basis.
- III. The GRC shall publish, at the end of each financial year, a report on the performance of all sub-GRCs and the GRC itself, comprising of the number of complaints received by the sub-GRCs and the GRC under this policy, and their resolution.
- IV. The GRC members and the sub-GRC members shall hold office for 3 (three) years, after which they shall retire, and shall also be eligible for re-appointment. In any case, if any member of the GRC or sub-GRC is suffering from any infirmity or is unfit to discharge their responsibility as a member of their respective GRC, such member(s) shall be free to submit their resignation in writing to the Presiding Officer. Any vacancy created so shall be filled in by electing another member to the GRC or sub-GRC.
- V. The present constitution of the members of the GRC and sub-GRCs, along with their brief profile, across offices/workplaces of the organization are provided under **Schedule-B** appended to this policy. The organization shall be responsible for updating Schedule-B from time to time, as may be required.

(D) Redressal Procedure

- I. The employee/victim may submit a formal complaint to the GRC in written, specifically addressing the Presiding Officer. The supervisor/manager of such employee/victim may also file a complaint on behalf of the employee/victim to the GRC.
- II. The employee/victim must include the details of any incident(s) amounting to harassment, as per the definitions in this policy, and place a list of eyewitnesses (if any) along with such complaint, and any other supporting document(s), materials etc.

- III. The complaint may be filed in English preferably, or a regional language in which the employee/victim is conversant. Such a complaint should be made in good faith, and not malicious or ill-intended.
- IV. The GRC shall acknowledge the complaint of the employee/victim within 3 (three) days of its receipt and shall take immediate steps to conduct a preliminary assessment of the situation.
- V. However, where a complaint is made against any member (including the Presiding Officer) of the GRC, such member(s) shall be excused from attending the proceedings of the GRC until final disposal of the complaint. Provided that when a complaint is received by the GRC against the Presiding Officer himself/herself, the other members of the GRC shall be free to elect a new Presiding Officer.
- VI. The GRC shall interview the complainant to assess the complaint, and the facts stated therein. Such an interview is necessary to clarify the allegations, and make sure that relevant evidence is placed for perusal of the GRC.
- VII. The GRC shall consider if the situation can be resolved through conciliation or mediation between the parties.
- VIII. Upon completion of the preliminary assessment, the GRC shall call upon the harasser to submit their response to the allegations in the complaint within 7 (seven) days, in written.
- IX. On the basis of the complaint, the harasser's response and the evidence submitted by both parties, the GRC shall evaluate whether there is a *prima facie* grievance of harassment. If required, the GRC shall assess if further investigation is needed.
- X. Should the GRC conclude that the complaint does not tantamount to harassment, the GRC shall duly inform both parties in writing of their reasons to decide so, and formally close the complaint. The GRC shall ensure that the entire resolution process should not take more than 30 (thirty) days from the date of the receipt of the complaint by the GRC.
- XI. **Interim measures-** Upon receipt of the complaint and completion of the preliminary assessment, the GRC shall examine if any interim measures are required to separate the employee/victim from the harasser, until final resolution of the complaint.
- XII. **Penal provisions-** if the GRC concludes the harasser to be guilty, then the GRC shall take appropriate measures, such as-

- (a) Suspension of the harasser for a period of time, as may be considered appropriate.
- (b) If the harasser's continuation of employment within the organization is no longer conducive to the well-being of the other members of the organization, or the allegations of harassment when proved against the harasser are unpardonable, the GRC may terminate the services of the harasser. If the harasser is a contractor or a consultant, the services of such consultant/contractor, or their contracts, shall be terminated immediately.

(E) Follow-up & Monitoring- Managerial Responsibility

Upon resolution of the complaint, and its closure by the GRC, it shall be the responsibility of the supervisor/manager of the employee/victim & the harasser (as the case may be), to ensure that corrective measure(s) as may be recommended by the GRC are executed and followed. Managers/supervisors concerned shall monitor the situation closely to ensure that the parties transition back to their professional responsibilities smoothly. Supervisors may also arrange or offer any counselling, coaching and mentoring to assist the employee/victim and the harasser. Managers/supervisors shall ensure that such behavior is prevented and not repeated.

(F) Confidentiality

The receipt of the complaint, its redressal, and the outcome, and all written and oral communications pertaining to this complaint, shall be strictly confidential at all stages. All managers/supervisors, members of the GRC, aware of the complaint, shall maintain the strictest confidentiality and respect the sensitivity of the matter. All parties involved, including the members of the GRC, shall maintain the utmost confidentiality, causing no prejudice to the parties involved.

Except as provided hereinabove, the GRC shall provide a brief report to the board of directors, providing an overview of the complaints received and resolved in a particular year by the GRC.

(SCHEDULE-A) STAKEHOLDERS' CHARTER OF ROLES AND RESPONSIBILITIES

(I) EMPLOYEES

All employees shall abide by the following:

- (a) Behaving in a manner that ensures a workplace free of intimidation, bullying, hostility, indifference, discrimination, that may amount to harassment and being mindful of such behavior.
- (b) No employee shall tolerate harassment, meted out to himself/herself or to another fellow employee.
- (c) Know the organization's policy/ies for prevention and redressal of harassment at the workplace, and any other policy/ies, notices, information, circulars as may be referred to or provided by the organization.
- (d) Be alert and ready to help if a colleague/fellow employee seeks such help.
- (e) Be aware of cultural, ethnic, gender and emotional sensitivities.
- (f) Learn and internalize that it is wrong to assume that some people/employees (irrespective of sexual orientations and preferences) like being "teased" or are open to loose comments or misdemeanor.
- (g) Say "NO" to offensive behavior as soon as it occurs.
- (h) Report and encourage the reporting of harassment or similar behavior a norm.
- (i) Remember that an unwanted and abusive display of power can undermine the self-confidence of a person and make them angry, anxious and resentful.
- (j) Maintain confidentiality regarding any aspect of an inquiry to which they or a co-worker may be a party to.

(II) MANAGERS/SUPERVISORS

All managers/supervisors shall ensure:

- (a) A positive and harmonious environment, free of intimidation, bullying, hostility, indifference, discrimination, that may amount to harassment.

- (b) Take steps, at an early stage, to prevent and/or resolve conflicts between staff/employees in their respective department, workplace/premise or organization.
- (c) Take swift and appropriate preventive action on potential harassment, as soon as they become aware of such a situation.
- (d) Take active part in the mediation or resolution of actual harassment as soon as they become aware of such situation.
- (e) Take appropriate actions, following the resolution of cases, and ensuring that measures are in place to prevent the recurrence of offensive behavior.

(III) GRIEVANCE REDRESSAL COMMITTEE

The GRC shall ensure:

- (a) Providing a channel for dialogue and conciliation between the employees.
- (b) Assisting employees who so wish, during the resolution of a complaint.
- (c) Assisting parties to a complaint to come to a resolution, and take steps to mediate between them, if necessary.
- (d) Advise and make suggestions, as may be appropriate, on actions needed to settle conflicts.

Acknowledgement-

I, _____ (name), _____ (state whether employee/department manager/ member of GRC), working for gain at _____ (state name of company/entity) hereby acknowledge my roles and responsibilities as provided hereinabove, and I shall abide by my role, during the tenure of my association with the organisation.

_____ (signature)

Name:

Designation:

Place:

Date:

SCHEDULE-B

MEMBERS OF THE GRIEVANCE REDRESSAL COMMITTEE

SL NO.	Name	Designation	Email ID	Mobile No.	Location	Profile
1	Ankita Shankar	Presiding Officer	ankita.shankar@jkorg.co.in	8291289439	Delhi	Leading Legal Dept.
2	Nitesh Kumar	Member	nitesh.Kumar@jkorg.co.in	9868870254	Delhi	Leading HR Dept.
3	Ashish Chauhan	Member	ashish.chauhan@jkorg.co.in	8090759223	Kanpur	Leading entire office and operations
4	Deepu Minz	Member	deepuminz@arpotech.org	9576589005	Hyderabad	Leading HR Dept.
5	Shivakumara YS	Member	shiva.ys@jkorg.co.in	8884296831	Bangalore	Looking operations

By Order of the Board of Directors



Mr. Abhishek Singhania
Managing Director



Mr. Maneesh Mansingka
Director

