

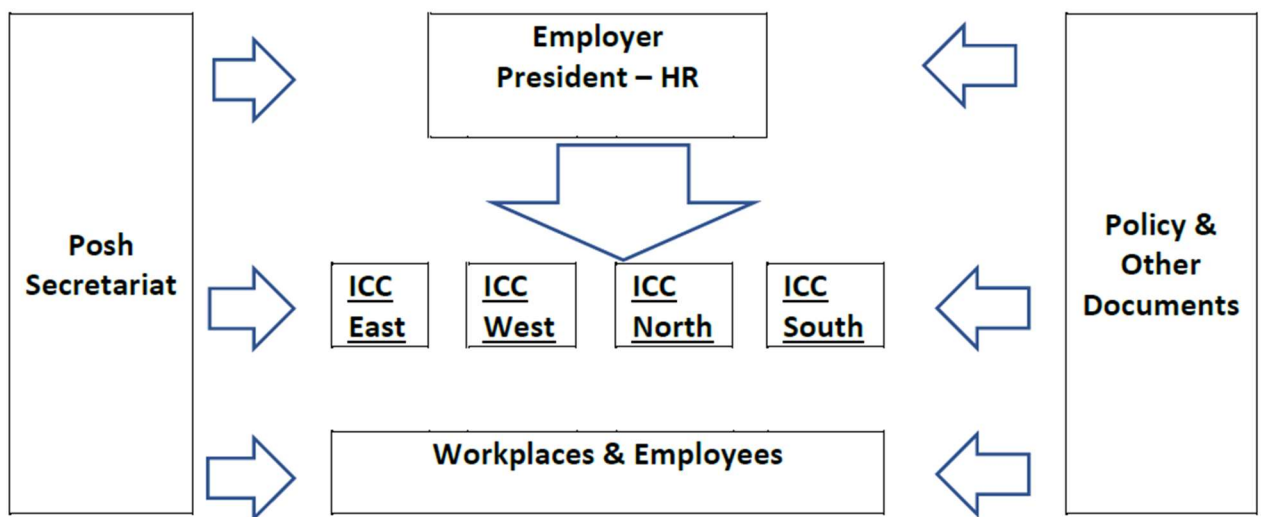
Name of Document	Policy on Prevention of Sexual Harassment
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State whether Policy/Code/Manual/Guideline	Policy
Group Level/Sector Level (Specify sector)	M.I.T.R.A. Agro Equipments Pvt. Ltd.
Issuing Authority	Padmapani Shardul DGM- Human Resource and Administration
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1. Background

MITRA Agro Equipments Private Limited has put in place a simple framework as depicted in the diagram below to ensure the effective implementation of The Prevention of Sexual Harassment (Prevention, Prohibition and Redressal) Act, 2013 and its policy against sexual harassment hereinafter referred to as POSH in the rest of this document.

2. MITRA POSH Governance Framework



Elements of the Framework Explained

Employer	Employer for the purpose of the POSH Policy shall be the highest authority of the workplace/establishment/entity. In case of MITRA, the DGM- Human Resources shall be the Employer. Employer shall be overall responsible for the implementation of the POSH Framework including the issuance of the POSH Policy and formation of the Internal Complaint Committee (ICC). For the sake of administrative convenience, the Employer may choose to delegate the responsibility of issuance of appointment/amendment orders for constitution of the ICCs to one level below their office.
Policy	This is the principal document which enshrines the Company's approach towards sexual harassment at workplace and the principles that drive the Company's efforts at ensuring a harassment free work environment.
Internal	To carry out the objective of the POSH Policy the Company has created

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Complaint Committee (ICC)	the ICC with responsibility for inquiring into all complaints arising from the workplace. The members of the ICC will be selected by HR and necessary appointment/amendment order shall be issued by the Employer.
Employees & Workplaces	There are the main constituents for whose benefit the Law and the Policy has been made. Employees in the context of this policy shall mean not only direct employees of the entity but also contract labour / third party employees / consultants and visitors who come to our workplaces or have any kind of business engagement with the entity. Workplace shall mean not only those locations of the entity where its work is carried on but also company provided transport or locations where employees visit in relation to the work of the entity. The policy shall without limitation, apply <i>inter alia</i> to the following persons and locations: 1. All employees who are employed with the Company in India including but not limited to permanent, contractual or temporary employees (hereinafter referred to as "Employee") 2. All employees who are employed with the Company outside India, in keeping with the Company Policy and local law of the country. 3. Any person, who visits premises of the Company for any purpose, such as Customer, visitor, etc. 4. All locations of the Company (Workplace). The possible locations could be: a. Any of the business locations of the Company including virtual workplaces; or b. Any external location visited by Employee due to or in the course of employment with the Company, such as business locations of other organizations/entities, guest houses, hotels, etc. or c. Any mode of transport provided by the Company (or a representative of the Company) to an Employee for undertaking a journey to and from the locations mentioned above. d. Online meetings and calls.
POSH Secretariat	To assist the Employer in carrying out its responsibilities under the law and under the Policy, the Employer shall be written order appoint a committee comprising representatives from HR, Ethics and Legal to

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	perform the following functions. • Overall implementation of the Framework on behalf of the Employer. • Assist in carrying out responsibilities of the Chief Ethics officer. • Collect and compile data for: ○ Quarterly report to BEGC ○ Annual Report for Secretarial Team • Training of ICC members • Identification of the ICC members as per criteria specified in law including external member • Finding replacement for members upon expiry of tenure / resignation / transfer of member • Tracking of tenure of each member • Issuance of appointment / amendment order • Reconstitution / reassignment of members in case of recusal / unavailability of members or sudden spike to ensure timely and fair conduct of investigation in fair and just manner • Filing of annual Report to District Officer • Assisting HR in organizing trainings / sensitization sessions for all employees at all workplaces • Provide support to the ICC with respect to coordination between the ICC and the HR who will provide day to day support for conduct of inquiry. • Ensure that respective HR carries out the recommendation of the ICC within 60 days • Advice on legal aspects of the framework, policy and other documents • Support the Employer on policy matters and legal queries • Support the ICCs on queries with respect to law and procedure only. No opinion on the facts of the case / decision to be made / punishment to be awarded shall be given as these are the duties of the ICC to be exercised independently. • Preserve the documents to the inquiries in a secure manner to ensure confidentiality is not breached. • Uploading of ICC details and changes on government website. • Assist in carrying out responsibilities of the Legal Manager
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	• Preparation and circulation of newsletter with latest legal developments in POSH
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3. Principles

The interplay between the different elements of the framework shall be based on the following principles:

- Uphold MITRA's approach towards Zero Tolerance to Sexual Harassment
- Provide safe, transparent & harassment free workplace to all – a core philosophy embedded in the Code of Conduct
- Ensure compliance to all legal requirements as required by the Act and the rules & regulations
- Provides for a structured process to implement redressal of complaints
- Maintain standards of confidentiality that this law and policy demands
- Formulate the Internal Complaints Committee (ICC) as required by law and under the guidance
- Ensure that the inquiry is carried out by respective zone wise nominated ICC member, chaired by the Presiding Officer
- Ensure that both the parties are provided with adequate opportunity for a fair representation as per the Principles of Natural Justice
- In case of any conflict of interest the nominated ICC member(s) should recuse themselves(s)
- During the term of membership in the ICC, no external member will be given any other assignment by the company that carries monetary consideration.

4. Internal Complaints Committee

Jurisdiction: The Company will have "Internal Complaints Committee" (hereinafter referred to as "Committee"). Each Committee will be responsible for dealing with all complaints of sexual harassment pertaining to any workplace as per procedure prescribed under the Act.

Composition: Each Committee will have the following members:

Designation	Number	Qualification
Presiding Officer	1	Senior Level Woman Employee
Members	At least 3	Employees preferably committed to the cause of women and

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		diversity & inclusion or who have had experience in social work or have legal knowledge
External member	1 member (1 member will be nominated by the Presiding Officer for conducting inquiry)	From an NGO or association committed to the cause of women and diversity and inclusion or a person familiar with issues relating to sexual harassment
Note: At least 50% of the Committee will be women		

The names of the members of each Committee will be announced by the Employer.

Non-M&M Companies and Group Companies can appoint Mahindra and Mahindra Limited Committees with prior written permission of the Employer. The names and contact details of the relevant Committee members will be displayed on the notice board of each workplace and uploaded in Rise@work website under policies.

Quorum: The quorum for conducting inquiry in each complaint shall be as below:

Committee Member	Participation in every meeting
Presiding Officer	Mandatory
Members	Three employee members to be selected by Presiding Officer
External Member	Mandatory
Note: Presiding Officer will ensure that at least 50% of the members are women	

Term of Office: Each member will hold office for three years in a Committee from the date of appointment. They will be eligible for reappointment in the same or another Committee at the discretion of the Employer.

Recusal: If either the complainant or respondent is related to any Committee member or is working in the same chain of command or has any conflict of interest in any other manner, the Presiding Officer shall exclude such members from the quorum. In case the conflicted person is the Presiding Officer herself, the Employer shall appoint suitable member for inquiring into the Complaint.

Code of Conduct for ICC Members: To effectively address workplace sexual harassment complaints in a completely unbiased manner, the ICC is expected to:

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1. Have complete knowledge to the 'Prevention of Sexual Harassment' Act and Organizational Policy on Sexual Harassment
2. The ICC members are expected to uphold the policy not only for execution, but also in their day-to-day demeanour at workplace and beyond
3. Ensure both the parties (complainant & accused) are aware of the process of investigation and redressal as well as their rights and responsibilities within it
4. Show empathy, respect, fairness, receptivity and complete attention towards the parties both in conduct and spirit
5. Share interim findings with both parties. Post conclusions prepare comprehensive report with findings and share it with parties and share recommendation to the employer & POSH Secretariat

Complaint Handling Process: Any aggrieved person who experience sexual harassment at the Workplace must contact HR as soon as possible who will guide further regarding the rights available under law and the steps involved from filing a complaint till its disposal. Each inquiry of the Complaint to be completed within 90 days.

If the Committee arrives at a conclusion that the complaint is barred by time, it shall not proceed further with the complaint and shall forward the same to Chief Ethics Officer for necessary inquest under the Code of Conduct.

Interim Relief: During the pendency of an inquiry, the ICC may upon written request by aggrieved person, grant interim relief if its considers necessary in the facts and circumstances of the case, which may include:

1. Transfer the Employees or the respondent to any other workplace, or
2. Grant Leave to the Employees upto a period of 3 months, in addition to his normal leave entitlement, or
3. Restrain the respondent from assessing the Employee's or the Complainant's work
4. Grant such other relief as may be appropriate

The Committee will consider the same in the facts and circumstances of each case and decide as to the necessity of such relief. If the Committee recommends to the Company any of the above actions, Company shall carry out the same and inform the Committee.

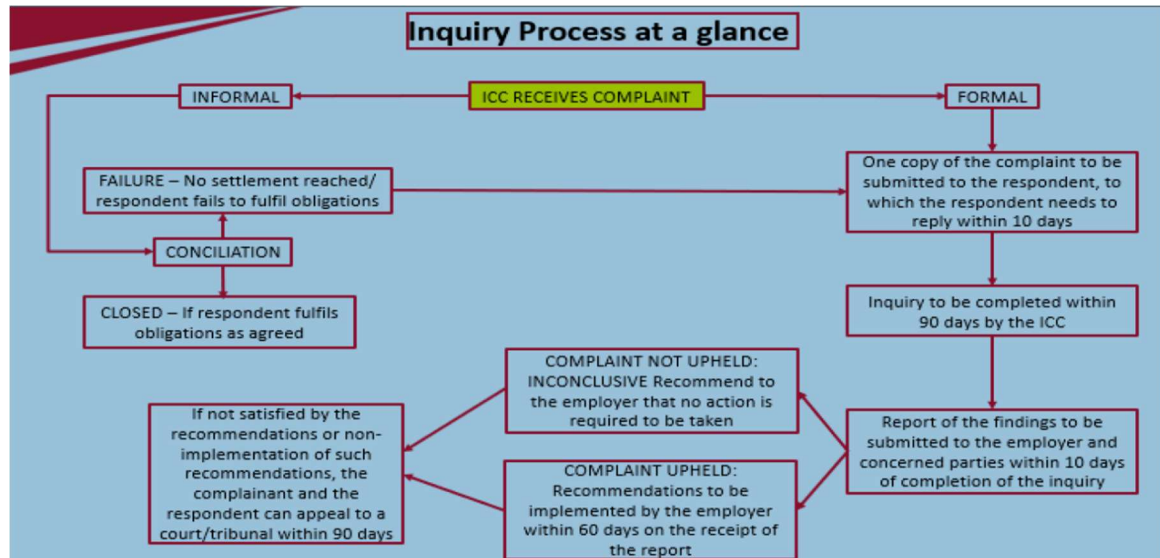
Actions Against the Offender: Committee may recommend such action necessary to meet the ends of justice as it deems fit, including but not limited to such disciplinary action as may be specified in the terms of employment of the offender(s), based on the

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circumstances and seriousness of the offence. It may also direct the respondent to pay appropriate compensation to the Complainant.

Roles & Responsibilities of the ICC Members:

1. None of the ICC Members have any personal interest in the matter.
2. Treat all persons contacted regarding the inquiry with full respect.
3. Do not pre-judge. No person is right or wrong till the inquiry is complete and a decision is taken. It should reflect in the language and words used by ICC members during and outside of the inquiry.
4. Refrain from getting aggressive, interrupting or insisting on a graphical description of the event.
5. Take all necessary steps to ensure that the parties are given a reasonable opportunity to present their case and defend themselves so that no prejudice is caused to either of the parties.
6. Refrain from coaching, guiding or influencing the Witnesses, the Complainant or the Respondent during or outside of the inquiry.
7. Accept that each member could have independent views based on the evidence. Try to come to a common convergence based on facts highlighted during the inquiry- do not influence or coerce each other to agree to a viewpoint. Any of the ICC members can have and record a "Dissenting View" in the final report.
8. Ensure that interim findings before conclusion are prepared and shared with the parties to enable them to make their representation.
9. Take help of stenographer/transcription service, if available.
10. Copies of proceedings to be given to parties and acknowledge obtained after each inquiry session.
11. Abstain from discussing any aspect of the matter amongst the fellow ICC Members in the presence of the parties.
12. Ensure confidentiality of the case (both within & outside the company).
13. Ensure non-retaliation/intimidation by the other party.
14. Conduct inquiry as per the following process:



15. Following the standard Operation Process for conduct of inquiry.
16. The nature and seriousness of the offence will be adjusted by the ICC (defined hereunder) depending on several factors, including the presence of the following circumstances while the employee was being subjected to any acts of sexual harassment:
 - Implicit, explicit or Implied promise of preferential treatment or threat of detrimental treatment to the employee during the employment; or
 - Implicit, explicit or Implied threat about employee's present or future employment status; or
 - Interference with employee's work or creating an intimidating or offensive or hostile work environment during or after employment period; or
 - Humiliating treatment, which is likely to affect employee's health or safety.
17. Prepare a comprehensive report with findings, testimonies and recommendations.
18. The report has been prepared with respect to complaint no. _____ (date) in the presence of all members of the ICC as appointed by the Policy and has been signed by all members

5. Important Documents:

Sr. No.	Description of Document	Document
1.	Policy	
2.	Principle of Natural Justice	
3.	Standard Operating Procedure for ICC	

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4.	Template for Inquiry Report of ICC	
5.	Template of Annual Report	
6.	Template/Sample Appointment Order for ICC	
7.	Templates for Order of Appointment of POSH Secretariat	
8.	Template for register of POSH Case	



(Padmapani Shardul)

(DGM-Human Resource and Administration)

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