

01/07/2018

**VIZAG GENERAL CARGO BERTH PRIVATE LIMITED
POLICY ON
INTERNAL COMPLAINTS COMMITTEE**

**Constituted under the provisions of
“THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION,
PROHIBITION AND REDRESSAL) ACT, 2013 AND RULES”**

Objective:

Vizag General Cargo Berth Pvt. Ltd. (hereinafter referred to as “VGCB”) is an equal opportunity employer and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and any form of sexual harassment.

The sexual harassment of women results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment. The Parliament of India enacted an Act “**The Sexual Harassment of Women at workplace (Prevention, Prohibition And Redressal) Act, 2013 and Rules**” to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Therefore the “Internal Complaints Committee” is constituted in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Applicability:

This Policy applies to all employees of VGCB ,interalia including, employees on rolls of VGCB and also those on deputation, contract, temporary, part time or working as consultants and is deemed to be incorporated in the service conditions of all employees and contract(s) entered by VGCB and comes into effect immediately. An "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.



Sexual Harassment – Meaning

"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) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature:

Sexual harassment means and includes any of the following:

- a. unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- b. unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- c. eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- d. act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;
- e. conduct of such an act at work place or outside in relation to an Employee, or vice versa during the course of employment; and any unwelcome gesture by an employee having sexual overtones

Internal Complaints Committee:

The VGCB Management has constituted a Committee named as “**Internal Complaints Committee**” to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment.

The Presiding officer and Members of the Committee are as follows:

Ms. Rashi Sharma	: Presiding Officer
Ms. Beulah Mani J	: Member
Ms. Varalakshmi	: Member
Ms. Jayalakshmi	: Member
Ms. Subbalakshmi	: Member-representing person familiar with the issues relating to Sexual Harassment
Mr. Kumar Ankit	: Member
Mr. Srikanth Gudivada	: Member



The term of Presiding officer and every member of Committee shall be 1 year from the date of notification of such policy. The committee shall meet as and when any complaints are received by it in terms of this policy and in the absence of any complaints received shall meet once in every half year to discuss the

matters of general awareness and safety of women at VGCB. The meeting shall be chaired by either Presiding officer or Chairperson.

Redressal Process:

- a. Any aggrieved woman may make, in writing, a complaint of sexual harassment at VGCB to the Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident
- b. Where such complaint cannot be made in writing, the Presiding Officer or any Member of the Committee shall render all reasonable assistance to the woman for making the complaint in writing:
- c. Where the aggrieved woman is unable to make a complaint on account of her physical incapacity a complaint may be filed by -
 - (a) her relative or friend; or
 - (b) her co-worker; or
 - (c) an officer of National Commission for Women or State Women's Commission; or
 - (d) any person who has knowledge of the incident, with the written consent of aggrieved women;
- d. Where the aggrieved woman is unable to make a complaint on account of her mental incapacity a complaint may be filed by -
 - (e) her relative or friend; or
 - (f) a special educator; or
 - (g) a qualified psychiatrist or psychologist; or
 - (h) the guardian or authority under whose case she is receiving treatment or care; or
 - (i) any person who has knowledge of the incident jointly with her relative or friend or a special educator or a qualified psychiatrist or psychologist or the guardian or authority under whose case she is receiving treatment or care; or
- e. Where the aggrieved woman for any 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
- f. 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 her legal heir
- g. A complaint shall be filed in six copies along with supporting documents, if any, and names and address of witnesses
- h. On receipt of complaint, the Committee shall send one copy of the complaint to the person against whom the complaint is made i.e. respondent within a period of 7 working days.
- i. The respondent shall file its reply along with the supporting documents and names and addresses of witnesses
- j. The Committee, may, before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation; provided that no monetary settlement shall be made as a basis of conciliation.
- k. Where a settlement has been arrived at under clause (j), the Committee shall record the settlement so arrived and forward the same to VGCB Management to take action as specified in the



recommendation

- l. Where the conciliation fails or not initiated, the Committee shall proceed to make an inquiry into the complaint. In case complaint is against the employee an inquiry shall be made in accordance with the provisions of the service rules applicable to such employee and in other cases in such manner as may be prescribed under the Act.
- m. The Committee shall make inquiry into the Complaint in accordance with the principles of natural justice.
- n. The committee shall have right to terminate the inquiry proceedings or give an ex-parte decision if the complainant or respondent fails, without sufficient cause, to appear or prevent herself or himself for three consecutive hearings as may be conveyed by committee
- o. The parties shall not be allowed to bring in Legal practitioner to represent herself or himself during proceedings
- p. In conducting the inquiry a minimum of three members of the Committee including the Presiding Officer or the Chairperson shall be present.
- q. On the completion of an inquiry, the Committee shall provide a report of its findings to the Management within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- r. Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Management that no action is required to be taken in the matter.
- s. Where the Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Management -
 - (i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent;
 - (ii) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine, in accordance with the provisions of section 15 of the Act;
- t. Where the Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Management to take action against the woman or the person who has made the complaint, in accordance with the provisions of the service rules applicable to her or him or where no such service rules exist, in such manner as may be prescribed by Act and rules
- u. The Management shall act upon the recommendation of Committee within sixty days of its receipt by it.


Confidentiality of proceedings

Notwithstanding anything contained in the Right to Information Act, 2005(22 of 2005), the contents of the complaint, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the Management under the provisions of this Policy or Act shall not be published, communicated or made known to the public, press and media in any manner.



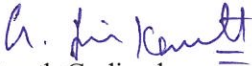
The Act and Rules to have overriding effect

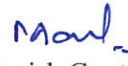
The provisions of Act and rules made thereunder shall have overriding effect over this policy and in case any matter not covered by the provisions of this policy; the Act and rules made thereunder shall be referred to. The Policy shall come into effect immediately on the date hereof.


Prepared and Issued by:

Approved by:


Beulah Mani
Head HR


Srikanth Gudivada
C.F.O.


Manish Gupta
Business Head-VGCB

Date: *Visakhapatnam*
Place: *01.07.2018*

SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(Prevention, Prohibition and Redressal)

RULES, 2013
NOTIFICATION



F.NO. 19-5/2013-WW, Dated 9th December, 2013
Gazette of India, Extraordinary, dated 9th December, 2013

RULE: - 14

ANNUAL REPORT:-

The annual report which the Complaints Committee shall prepare under the Section, 21, Shall have the following details:-

S.NO	Description	Remarks
1	Number of Complaints of Sexual Harassment received in the year ;	NIL
2	Number of Complaints disposed off during the year;	NIL
3	Number of cases pending for more than ninety days ;	NIL
4	Number of workshops or awareness programme against sexual harassment carried out ;	4
5	Nature of action taken by the employer or DISTRICT OFFICER	NIL


Authorized Signatory.


Note

As Per sec 21 of the Posh Act

Committee to submit annual report-(1) The Internal Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit to the employer and the District Officer.

(2) The District Officer shall forward a brief report on the annual reports received under sub-section (1) to the State Government.

Date: 29.01.2019

To,

The District Officer,
Authority under SHW Act,
Office of the District Collector,
Visakhapatnam,
Andhra Pradesh.

Sub: - Annual Report under "Prevention of Sexual Harassment of Women Employees at Workplace, 2013" for the year 2018.

Dear Sir,

Enclosed herewith the Annual Report under Prevention of Sexual Harassment of Women Employees at Workplace-2013 for the period ending 2018 for your reference & records. Please.

Kindly acknowledge the same.

Thanking you,

For Vizag General Cargo Berth Pvt. Ltd.,


Beulah Mani
Head-Human Resources



MINUTES OF THE MEETING OF COMMITTEE OF PREVENTION OF SEXUAL HARRASMENT OF VIZAG GENERAL CARGO BERTH PRIVATE LIMITED HELD ON FRIDAY, 30th Oct 2018 AT 04.30 PM AT ADMINISTRATIVE BUILDING, EASTERN STACKYARD, VISAKHAPATNAM PORT, VISAKHAPATNAM.

PRESENT:

1. Ms. Rashi Sharma : President
2. Ms.Subba Lakshmi : Member-(Representing person familiar with issues relating to sexual Harassment)
3. Ms.Beulah Mani : Member
4. Ms.A.Varalaxmi : Participant
5. Ms.K.Appala Konda : Participant
6. Ms.Jayalakshmi : Participant
7. Ms.J.Madhuri : Participant


The meeting was coordinated by the member Ms.Beulah Mani

Ms.Rashi Sharma chaired the meeting and invited all the members and convened the meeting

The coordinator appraised the chairman and the members present in the meeting about the measures adopted by the company for prevention of sexual harassment and providing safe place for women in the company.

No issues have been raised from the any women about the sexual harassment.

The meeting was concluded with vote of thanks from the Ms.Beulah Mani member and to the committee has decided to convene the next meeting in the month of Jan'18


Rashi Sharma
Chairman

Place: Vishakhapatnam

Date: 30/11/2018



Meeting on Prevention of Sexual Harassment at Work place

Date:	30-oct-18	Venue:	YAMUNA	Time:	4:30 PM
S No	Emp ID	Name of the Employee	Designation	Organization	Signature
1	618052	Beulah Mari J	Dep. Manager	VACB	Beulah
2	618036	Rashi Sharma	AM	VGLB	Sharma
3		B. Jayalaxshmi	Receptionist	VGLCB (SIS)	B. Jayalaxshmi
4		A. varalaxmi	Supervisor	V.G.CB (D.T.S)	A. varalaxmi
5		J. madhuri	House keeper	V.G.CB (D.T.S)	J. madhuri
6		K. Rajeswari	House keeping	VGLCB (D.T.S)	K. Rajeswari
7		S. Subbulakshmi	Extrenal. Community	YRGLone KATH, VSP.	
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9					
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**MINUTES OF THE MEETING OF COMMITTEE OF PREVENTION OF SEXUAL HARRASMENT OF VIZAG
GENERAL CARGO BERTH PRIVATE LIMITED HELD ON FRIDAY, 25th July 2018 AT 04.30 PM AT
ADMINISTRATIVE BUILDING, EASTERN STACKYARD, VISAKHAPATNAM PORT, VISAKHAPATNAM.**

PRESENT:

1. Ms. Rashi Sharma : President
2. Ms.Subba Lakshmi : Member--(Representing person familiar with issues relating to sexual Harassment)
3. Ms.Beulah Mani : Member
4. Ms.A.Varalaxmi : Participant
5. Ms.K.Appala Konda : Participant
6. Ms.Jayalakshmi : Participant
7. Ms.J.Madhuri : Participant

The meeting was coordinated by the member Ms.Beulah Mani

Ms.Rashi Sharma chaired the meeting and invited all the members and convened the meeting

The coordinator appraised the chairman and the new members present in the meeting about the measures adopted by the company for prevention of sexual harassment and providing safe place for women in the company. They were informed to appraise the committee in case of any uncomfortable situation within the organisation premises.

It was appraised to committee that during the period, there have been no complaints received from any women employee complaining about the sexual harassment or any such matter during the last quarter.

The members expressed satisfaction on the working of the committee

The meeting was concluded with vote of thanks from the Ms.Beulah Mani member and to the committee has decided to convene the next meeting in the month of Oct'18


Rashi Sharma
Chairman

Place: Vishakhapatnam

Date: 25/07/2018



Meeting on Prevention of Sexual Harassment at Work place

Date:	25 th July/19	Venue: YAMUNA	Time:	4:30 PM	
S No	Emp ID	Name of the Employee	Designation	Organization	Signature
1	618036	Rashi Sharma	AM	VQCB	R. Sharma
2		B. Jayalaxshmi	Receptionist	NGCB (SIS)	B. Jayalaxshmi
3		A. Varadani	Supervisor	VACB (Diss)	A. Varadani
4		J. Madhuri	House Keeping	VACB (DITSS)	J. Madhuri
5		K. Jayashree	House Keeping	VACB (DITSS)	K. Jayashree
6	618052	Beulah Mari J	Dep. Manager	VACB	Beulah
7		S. Subbalakshmi	Executive Committee	YRG Com KCH - VSP	S. Subbalakshmi
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10					