

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY

EarKart Limited

1. PREAMBLE AND LEGAL FRAMEWORK

EarKart Limited ("EarKart" or "the Company") recognizes that sexual harassment at the workplace constitutes a violation of the fundamental rights of women to equality, dignity, and a safe working environment as guaranteed under the Constitution of India.

This Policy has been **formulated, framed, and adopted by EarKart** pursuant to and in strict compliance with the provisions of the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, read with the **Rules framed thereunder**, and judicial precedents governing workplace conduct.

The Company affirms that prevention of sexual harassment is an essential element of its **corporate governance, ethical conduct, and compliance framework**, and any act of sexual harassment shall be treated as a serious misconduct.

2. OBJECTIVE OF THE POLICY

The objectives of this Policy are as follows:

- a) To **prohibit and prevent** the occurrence of sexual harassment at the workplace by laying down clear behavioral standards;
- b) To establish a **transparent, time-bound, and legally compliant mechanism** for redressal of complaints;
- c) To ensure that complaints are addressed through a **fair, impartial, unbiased, and confidential inquiry process**;
- d) To protect the **rights, dignity, and safety** of the aggrieved woman while ensuring due process to the respondent;
- e) To promote a culture of **respect, professionalism, and accountability** within the organization;
- f) To ensure that EarKart fulfills its statutory obligations as an employer under the POSH Act.



3. COMPANY GOVERNANCE STRUCTURE AND PRACTICES

3.1 The Company shall maintain an effective governance structure for POSH compliance by constituting an **Internal Complaints Committee (“ICC”)** in accordance with Section 4 of the POSH Act.

3.2 The ICC shall function as an **independent authority** and shall exercise powers similar to those of a civil court for the purpose of inquiry, as provided under the Act.

3.3 The Board of Directors and senior management shall ensure:

- Adequate financial, administrative, and infrastructural support to the ICC;
- Implementation of ICC recommendations within statutory timelines;
- Periodic review of POSH compliance as part of corporate governance reporting.

3.4 POSH compliance shall form an integral part of the Company’s **risk management and ethical governance framework**.

4. APPLICABILITY AND SCOPE

4.1 This Policy shall apply to all individuals associated with the Company, including but not limited to:

- Employees (permanent, temporary, contractual, probationary);
- Consultants, advisors, audiologists, technicians;
- Interns, trainees, apprentices;
- Directors, officers, and members of management;
- Vendors, suppliers, clients, visitors, and any third party interacting with the Company.

4.2 The Policy applies to acts of sexual harassment occurring at:

- All Company offices, clinics, partner clinics, and premises;
- Any location visited in the course of employment;
- Work-from-home or remote working arrangements;
- Virtual or digital platforms used for official communication;



- Transportation provided by the Company.

This expansive interpretation ensures that **physical, digital, and virtual workplaces** are equally protected under this Policy.

5. DEFINITIONS AND INTERPRETATION

For the purpose of this Policy:

5.1 Aggrieved Woman

Means any woman, irrespective of age, employment status, or contractual relationship, who alleges that she has been subjected to sexual harassment at the workplace.

5.2 Sexual Harassment

Includes any unwelcome act or behavior of sexual nature, whether direct or indirect, including but not limited to:

- Physical contact or advances;
- Demand or request for sexual favors;
- Sexually colored remarks;
- Showing or circulating pornographic material;
- Any conduct that creates a hostile, intimidating, or offensive work environment.

The test of harassment shall be based on **unwelcome conduct**, and not on intent of the respondent.

5.3 Respondent

Means a person against whom a complaint of sexual harassment has been made.

5.4 Workplace

Shall have the same meaning as assigned under Section 2(o) of the POSH Act and shall be interpreted expansively.

6. CONSTITUTION AND FUNCTIONING OF ICC

6.1 The ICC shall comprise:

- A Presiding Officer who is a senior woman employee;
- Two or more employee members sensitive to gender issues;
- One external member with legal or social work expertise;
- At least fifty percent women members.

6.2 Members shall hold office for a period of **three (3) years**, unless removed earlier as per law.

6.3 The ICC shall function in a manner that ensures **fairness, neutrality, and confidentiality**.

7. REGISTRATION AND REPORTING OF COMPLAINT

7.1 An aggrieved woman may submit a **written complaint** to the ICC within three (3) months from the date of the incident.

7.2 The ICC may condone delay upon being satisfied that circumstances prevented timely filing.

7.3 Where the aggrieved woman is unable to submit a written complaint, the ICC shall render all reasonable assistance.

7.4 Complaints may also be filed by a legal heir or authorized person where permissible.

8. CONCILIATION

8.1 At the written request of the aggrieved woman, the ICC may attempt conciliation before initiating an inquiry.

8.2 Conciliation shall be voluntary and shall not involve any monetary settlement.

8.3 Upon successful conciliation, the ICC shall record the settlement and forward it for implementation.

9. MANNER OF INQUIRY INTO COMPLAINT

9.1 In the absence of conciliation or upon failure thereof, the ICC shall conduct a formal inquiry.

9.2 The inquiry shall adhere to the **principles of natural justice**, including:



- Right to be heard;
- Equal opportunity to present evidence;
- Absence of bias.

9.3 The inquiry shall be completed within **ninety (90) days**.

9.4 Legal practitioners shall not represent parties to preserve the non-adversarial nature of proceedings.

10. INQUIRY REPORT

10.1 The ICC shall prepare a **reasoned, speaking order** containing findings and recommendations.

10.2 The report shall be submitted to the employer within ten (10) days of completion of inquiry.

10.3 Copies shall be provided to both parties.

11. DISCIPLINARY ACTION AND PENALTIES

11.1 Upon proof of misconduct, the ICC may recommend proportionate disciplinary action including:

- Written apology;
- Warning or reprimand;
- Withholding promotion or increments;
- Mandatory counseling;
- Termination of employment;
- Monetary compensation to the aggrieved woman.

11.2 The employer shall act on the recommendations within sixty (60) days.

12. FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE

12.1 If the ICC concludes that the complaint was malicious or supported by false evidence, it may recommend disciplinary action.

12.2 Mere inability to prove allegations shall not be construed as malicious intent.

13. CONFIDENTIALITY

13.1 All information relating to the complaint, inquiry, parties, and witnesses shall remain strictly confidential.

13.2 Any breach shall attract disciplinary and legal consequences.

14. PROTECTION AGAINST VICTIMIZATION AND RETALIATION

14.1 The Company strictly prohibits any act of victimization or retaliation against the aggrieved woman, respondent, or witnesses.

14.2 Any such act shall be treated as a serious misconduct.

15. APPEAL

15.1 Any aggrieved person may file an appeal as provided under Section 18 of the POSH Act within ninety (90) days.

16. ANNUAL REPORT AND STATUTORY DISCLOSURE

16.1 The ICC shall prepare an annual report detailing complaints received and disposed.

16.2 The Company shall disclose POSH compliance in its Annual Report or submit it to the District Officer.

17. AWARENESS, TRAINING AND COMMUNICATION

17.1 The Company shall conduct periodic awareness programs and training sessions.

17.2 This Policy shall be communicated to all employees and displayed prominently.



18. INTERIM RELIEF AND SUPPORT MEASURES

The ICC may recommend interim relief such as transfer, leave, or counseling during the pendency of inquiry.

19. POLICY REVIEW AND AMENDMENT

This Policy shall be reviewed periodically and amended as required by law or organizational changes.

20. EFFECTIVE DATE

This Policy shall come into effect from **1st April 2023**.

For and on behalf of EarKart Limited

By Order of the Board of Directors

FOR EARKART LIMITED


COMPANY SECRETARY

PREETI SRIVASTAVA

COMPANY SECRETARY & COMPLIANCE OFFICER

MEMBERSHIP No: A-31615