	Policy	Prevention of Sexual Harassment (POSH) Policy	Creation date	January 20, 2020
	Department	Human Resources	Approval date	October 29, 2024
	Version	2.0	Effective date	August 19, 2021



V-Mart Retail Limited

Prevention of Sexual Harassment Policy Document

Version: 2.0

October 2024

For internal circulation only

This document is strictly confidential and is for internal use only. It contains proprietary and confidential information of V-Mart Retail Limited. Unauthorized circulation is restricted.

Document revision history		
Version	Release date	Description
1.0	January, 2020	The document comprises Introduction, Objective,
2.0	October, 2024	Revision in the composition of Internal Committee & SPOCs

Document control	
Document name	Prevention of Sexual Harassment (POSH)
Version no.	2.0
Document status	Final
Issue date	As per Board Resolution
Compliance status	Mandatory
Review period	Need basis
Security classification	Internal
Distribution	Employees of V-Mart Retail Limited
Approval	As per Board Resolution dated October 29, 2024

Contents

1.	Introduction & Scope	4
2.	Objective of POSH Policy	4
3.	Definitions	5
4.	Internal Committee	6
5.	Governance Structure	10
6.	Punishment for Sexual Harassment	10
7.	Punishment for false or malicious complaint and false evidence & Victimization	10
8.	Annexure	11

1. Introduction & Scope

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act") was enacted as a comprehensive legislation to provide a safe, secure and enabling environment, free from sexual harassment to every woman. This statute was enacted to fill the legislative void which had been partially addressed by the judiciary in Vishaka and Others v. State of Rajasthan and Others (1997 (7) SCC 323). In this seminal public interest litigation verdict, the Supreme Court of India had framed a set of guidelines ("Vishaka Guidelines") for dealing with instances of sexual harassment at the workplace, which has now been codified in the POSH Act.

Purpose of this policy is to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

This policy extends to all employees including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, vendors, contractual resources, secondees and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond office hours.

2. Objective of POSH Policy

- 2.1. **V-Mart Retail Limited** refers to all member companies in India and is collectively referred to as "The Company" in this policy document, is committed to provide all its employees an environment free from gender-based discrimination and harassment. In furtherance of this commitment, the Company strives to provide all its employees an equal opportunity condition of employment, free from gender-based coercion, intimidation, or exploitation and to create a work environment where everyone has an opportunity to fully participate in achieving business success and is valued for the distinctive skills, experiences and perspectives she or he brings to the workplace. The Company has zero tolerance for harassment, intimidation or humiliation of a sexual or gender-based nature in its workplace and is dedicated to ensure enactment, observance and adherence of guidelines and best practices that prevent and prosecute acts of sexual harassment. The Company perceives harassment as a form of discrimination that is offensive, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of the Company. Sexual harassment at workplace or other than workplace if involving employees is a grave offence and is therefore punishable.
- 2.2. Sexual harassment including discrimination or intimidation of a sexual or gender-based nature by or towards any employee in the workplace will not be condoned. The Company will not tolerate retaliation in any form against person(s) for raising sexual harassment complaints or concerns.
- 2.3. This Policy applies to all allegations of sexual harassment made by any person or persons against another person or persons irrespective of whether sexual harassment is alleged to have taken place within the Company premises or in any other place visited by such person(s) for work. All actions prohibited for an employee of the Company by this Policy are also prohibited for all individuals who are on the Company premises or on any other property where the Company conducts its business. If an individual commits an act in violation of this Policy, whether an employee of the Company or a third party interacting with the Company, the Company will take appropriate remedial measures under the circumstances, including measures

to mitigate the potential for repetition, and to discipline any of its employees who may have participated in such conduct, or may have failed to stop such conduct when he or she had actual knowledge of such conduct and the authority to do so.

3. Definitions

- 3.1. **“Company”** V-Mart Retail Limited.
- 3.2. **“Aggrieved Individual”** means in relation to a workplace, a person, of any age, whether employed or not, who have been subject to any act of sexual harassment by the respondent includes contractual, temporary employees and visitor.
- 3.3. **“Complainant”** is any aggrieved individual (including a representative as more fully described under Rule 6 of the said Rules, if the aggrieved individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) of any age whether employed or not, who alleges to have been subject to any act of sexual harassment by an employee of the company (includes contractual, temporary employees and visitors).
- 3.4. **“Employee”** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, a contract worker, whether for remuneration or voluntary and includes a probationer, trainee, and apprentice or called by any other such name including Manager.
- 3.5. **“Management”** means any person responsible for the supervision and control of the workplace of the Company and also includes a person or board or committee responsible for formulation and administration of policies.
- 3.6. **“Internal Committee”** means an Internal Committee constituted.
- 3.7. **“Respondent”** means a person against whom a complaint of alleging sexual harassment has been made under this policy.
- 3.8. **“Third Party involvement”**: Where sexual harassment occurs as a result of an act or omission by any third party or outsider.
- 3.9. **“Sexual harassment”** is defined under this Policy as any conduct that is unwelcome and sexual in nature, whether direct or indirect, including physical contact and advances, a demand or request for sexual favours, making sexually coloured remarks, circulating obscene content by email, SMS or mms, showing pornography, or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. When any such act or acts are committed in circumstances where such conduct is humiliating and is likely to constitute a health and safety problem, it will amount to sexual harassment that violates this Policy.

Examples such as: Sexual harassment may occur as a single incident or a series of incidents and may include, but will not be limited to the following which may interfere with an individual's performance by contributing to the creation of an intimidating, hostile or offensive environment:

- a) Implied or explicit promise of preferential treatment in employment, or
- b) Implied or explicit threat of detrimental treatment in employment, or
- c) Implied or explicit threat of detrimental treatment about present or future employment status.
- d) Humiliating treatment likely to affect her health or safety.

3.10. Sexual harassment may be of two kinds: (1) indirect, also referred to as a “hostile work environment” and (2) direct, also referred to as a “quid pro quo”.

3.10.1 The indirect form of sexual harassment is one or more instances of unwelcome conduct that, taken individually or together, have the purpose or effect of (i) creating an intimidating, hostile, or offensive work environment, and (ii) unreasonably interfering with another’s work performance. Examples of this type of sexual harassment include pornography in public places, foul language or joking of a sexual nature. This is of sexual harassment does not need to be directed by any employee in particular.

3.10.2 Sexual harassment by one in a position of power or influence constitutes direct, or quid pro quo, sexual harassment when (i) submission by an individual is made either an explicit or implicit term or condition of employment, or (ii) submission to or rejection of such conduct is used as the basis for employment decisions affecting that employee such as promotions, demotions, salary raises, hiring or termination.

4. Internal Committee

4.1. An Internal Committee (IC) will be set up by the Company in accordance with the provisions of law, which will deal with all cases of alleged sexual harassment whether escalated to it by any employee or taken up suo moto by the Company, to prevent and deal with sexual harassment and to otherwise implement the Policy.

4.2. Composition:

- a) Ms. Anjali Goel - Chairperson
- b) Ms. Shweta Kumar - Member
- c) Ms. Megha Tandon - Member
- d) Ms. Sonal Singh - Member
- e) Mr. Karun Kumar - Member
- f) Ms. Sonal Mattoo - Third party NGO member

4.3. Single Point of Contacts (SPOCs) for Head Office (HO), Warehouse (WH), Zonal Office and Stores are provided in ‘*Annexure I*’

A quorum of 3 members is required to be present for the Inquiry to take place. The quorum shall include the Chairperson, at least 2 members, one of whom shall be a lady.

- **Frequency of meetings**

The IC Meetings will be held once every quarter, whether or not a case of sexual harassment has been registered. This is so as to discuss and plan for preventive actions and to make recommendations to the facilitating body. The venue and the time for the meetings will be as per the decision of the members of the committee.

- **Selection of members**

Members will be selected based on their commitment to the cause of women or who have had experience in social work or have legal knowledge. Members associated to or having experience in non-governmental organizations or associations would be preferred who are truly committed to the cause of women.

- **Period of membership**

Membership will be for a period of 3 years, after which a new set of members will be appointed. However, few members if willing can continue their membership to help evolve

and guide the new members

- **Termination of membership**

Membership will be terminated in the event of retirement or resignation of a member from his/her post in the organization, or if a member has been found guilty in a case of sexual harassment. Membership will also be transferred to another person after the completion of 3years tenure

- **Report**

The IC shall submit an annual report to the management/Board.

- **Functioning:**

The ICs of all offices will report to the central (V-Mart group) committee for prevention of sexual harassment.

4.4. **Confidentiality:** To the fullest extent practicable and consistent with the Internal Committee (IC)'s need to investigate and ensure that corrective action is taken, all complaints of sexual harassment by employees will be processed with strict confidentiality.

4.5. **Filing a Complaint:** Any aggrieved Individual may approach the Internal Committee (IC) with a complaint of sexual harassment under this Policy through an email to 'ic@vmart.co.in' or through Helpline number '+ 0124-4640030' (complainant may reach out to SPOC for any assistance in filing complaints) or by sending a letter addressing Internal Committee, POSH, V-Mart (HO). The following steps will be followed in this regard:

4.5.1 A written complaint of sexual harassment is to be filed within a time limit of three (3) months. This may be extended to another three (3) months if the Complainant can prove that grave circumstances prevented them from doing the same within the stipulated time of three months.

4.5.2 An employee making a complaint ("Complainant") has to give the complaint to the Complaint Committee in writing along with supporting documents, names and addresses of witnesses and the said complaint will be afforded confidentiality as described in Section B.I.3.

4.5.3 No person against whom a complaint is made shall be part of the Internal Committee (IC).

Below matrix representing the process of filing of complaints for HO/zonal/warehouse and store employees:

Filing of complaint for HO/Zonal/Warehouse Employees	Filing of complaint for store employees
<ul style="list-style-type: none"> ● Within seven (7) working days of the receipt of the complaint, the HO SPOC (on behalf of Internal Compliant Committee) has to send a copy of the complaint to the Respondent 	<ul style="list-style-type: none"> ● Upon receiving complaint from any aggrieved employee (at stores), HO SPOC has to communicate all the received complaints (on redressal email id or through letter) to respective Zonal SPOC within two (2) working days for necessary

<ul style="list-style-type: none"> ● The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten (10) working days from the date of receipt of the documents specified under sub-rule (1) ● HO-SPOC lines up the first meeting with Complainant & Respondent ● At the first meeting of the Internal Committee (IC)/HO-SPOC, the complainant shall be heard and the Internal Committee (IC)/HO-SPOC may, before initiating an enquiry and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation; provided there can be no monetary settlement as the basis of conciliation ● If a conciliation has been arrived, then HO-SPOC shall prepare the report of the same and submit the same to IC committee 	<p>proceeding</p> <ul style="list-style-type: none"> ● Within five (5) working days of the receipt of the complaint from HO SPOC, the Zonal SPOC has to send a copy of the complaint to the Respondent ● The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten (10) working days from the date of receipt of the documents specified under sub-rule (1) ● Upon receiving reply from Respondent, Zonal SPOC has to file the reply received from Respondent with Internal Committee (IC) within three (3) working days for necessary assessments and proceedings. ● Zonal-SPOC lines up the first meeting with Complainant & Respondent ● At the first meeting of the Zonal SPOC, the Complainant shall be heard and the Zonal SPOC (keeping HO SPOC and Internal Committee informed) may, before initiating an enquiry and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation; provided there can be no monetary settlement as the basis of conciliation ● If a conciliation has been arrived, then Zonal-SPOC shall prepare the report of the same and submit the same to IC committee
---	---

Note: *If a settlement has been so arrived, the IC shall record the same and forward the same to the Employer and provide copies of the settlement to the aggrieved individual and the respondent. In such cases, no further inquiry shall be conducted by the IC.*

- 4.6. In case there is no request for conciliation or conciliation attempt fails, the Internal Committee (IC) shall proceed with the complaint and, if not already informed, approach the Respondent to inform him of the allegation in order to start the investigation.
- 4.7. Inquiry of the Internal Committee (IC)/SPOCs is intended to be an independent, objective and

unbiased fact-finding body established to investigate any complaints of sexual harassment in a fair, reasonable and time-bound manner in a neutral environment. The Committee shall conduct the enquiry in accordance with principles of natural justice. It will broadly be governed by the following principles in conducting its Inquiry:

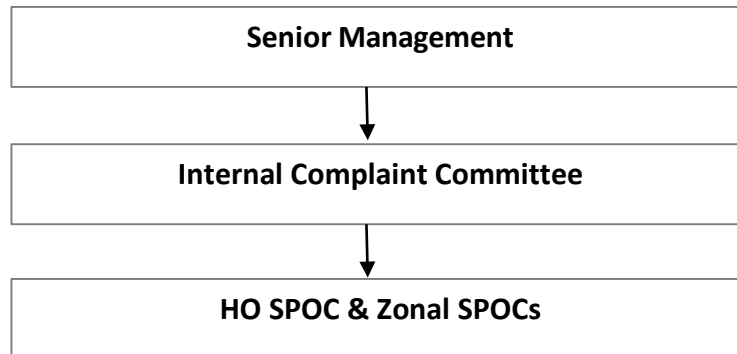
- a) The Internal Committee shall give every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective cases and to ensure that the Complainant and the Respondent have full opportunity to present their claims, witnesses and evidence which may establish or substantiate their claims.
- b) Both the Complainant and the Respondent shall have the right to submit supporting evidence and shall have the right to bring their respective witnesses, if any, to be examined by the Internal Committee (IC).
- c) If the Complainant or the Respondent fails, without sufficient cause, to be present before the Internal Committee (IC) for three (3) consecutive hearings, the Internal Compliant Committee (IC) will give a notice of fifteen (15) days to the concerned party before terminating the enquiry Inquiry or giving an ex-parte decision on the complaint.
- d) If considered appropriate by the Internal Committee, all meetings of the Internal Committee (IC) including with the Complainant, the Respondent or any witnesses shall be held outside the relevant office and at a neutral venue to ensure comfort of parties.
- e) The Complainant, the Respondent or any other person that the Internal Committee (IC) or meets with, interacts with, or has a teleconference or video conference with, for the purpose of enquiry into any complaint of sexual harassment shall be bound by strict confidentiality as described in '**Section 4.4**' above and each such party shall not be permitted to discuss the Inquiry of Internal Committee (IC)/ with any third person.
Note: The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.
- f) All the Inquiry of the Internal Committee (IC) will be summarized by the Committee. In the event either the Complainant or the Respondent is desirous of submitting a statement in writing or reviewing the summary of discussion prepared by the Internal Committee then he/she can do the same by giving prior notice of 2 days
- g) The Committee is required to complete the inquiry within a time period of ninety (90) days from the date on which the Complaint is filed by the Complainant.
- h) The Internal Committee (IC) shall complete the enquiry and make a *report (may refer 'Annexure-II')* of its findings on the Complaint and its recommendations to the senior management of the Company ("Management") within a period of ten (10) days from the conclusion of the enquiry procedure set out above. The report of the Internal Committee (IC) may also include recommendations for the imposition of any penalty and the reasons for such recommendations to the Management.
- i) Management shall take action within 30 days of receiving the report.

4.8. IMPLEMENTATION OF RECOMMENDATIONS OF THE INTERNAL COMMITTEE (IC)

The Management shall consider the recommendations and findings of the Internal Committee (IC) and take a decision in relation to action to be taken as soon as possible and within thirty (30) days of the submission of the report by the Internal Committee (IC) The Management may issue such order or directions as it deems fit and shall inform the Complainant and the

Respondent of its decision. The Management of the Company shall provide all necessary assistance to the Internal Committee (IC) for the purpose of ensuring full, effective and speedy implementation of this procedure for investigating any complaint of sexual harassment at workplace in accordance with the Policy.

5. Governance Structure



6. Punishment for Sexual Harassment

1. Penalties: If an employee is found to have violated this Policy, the Management shall take such action as may be appropriate action for misconduct by the employee under the Company policy. Such actions may include any of the following, or a combination of the below mentioned statutory actions
 - (a) Written apology;
 - (b) Warning;
 - (c) Reprimand or censure;
 - (d) Withholding of promotion;
 - (e) Withholding of pay rise or increments;
 - (f) Termination of employment;
 - (g) Counselling session; or
 - (h) Carrying out community service.
 - (i) Transfer to some other location
2. Compensation: The Committee can also recommend monetary compensation in favour of the Complainant by way of deduction from the salary or wages of the Respondent, in an amount that it may consider appropriate to be paid to the Complainant and in accordance with applicable law.

7. Punishment for false or malicious complaint and false evidence & Victimization

- 7.1 **Punishment for false or malicious complaint and false evidence.** (1) Where the Internal Committee, as the case may be, 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 employer or the District Officer, as the case may be, to take action against the woman

or the person who has made the complaint under sub-section (1) or sub-section (2) of section 9, as the case may be, 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:

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section:

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

(2) Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness or the District Officer, as the case may be, to take action in accordance with the provisions of the service rules applicable to the said witness or where no such service rules exist, in such manner as may be prescribed

- 7.2 In the event the Respondent is the Complainant's supervisor/superior, the Company shall, during the pendency of the Complaint, ensure that the reporting relationship is suspended, and that the Complainant is not subject to appraisal by the Respondent.
- 7.3 The Company shall strictly prohibit any sort of retaliation against the Complainant or any witnesses. Any act of reprisal, including internal interference, coercion and restraint, by the Respondent, whether directly or indirectly, will result in appropriate

8. Annexure

Annexure I- Single Point of Contacts (SPOCs):

VERTICAL	SPOC-1	DESIGNATION	MOBILE NO	EMAIL ID	SPOC-2 (optional)
HO/WH/ZONE	TARUNA	Deputy Manager	9350203022	taruna@vmartretail.com	SONAL SINGH
NORTH	SANDEEP	Deputy Manager	9599216449	sandeep.awasthi@vmartretail.com	TARUNA
UP	NITIN	Manager	8848046694	nitin.singh@vmartretail.com	TARUNA
EAST/JHK	SANTANU	Manager	8334944483	santanu.ghosh@vmartretail.com	TARUNA
BIHAR	NABEEL	Assistant Manager	9650218601	nabeel.ahmad@vmartretail.com	TARUNA
SOUTH	PRATAP	Manager	9703030400	prathap.bandhi@vmartretail.com	TARUNA
LIMEROAD	NAVETA	Manager	9654249797	naveta@limeroad.com	SONAL SINGH

ANNEXURE II - RECOMMENDED FORMAT OF THE INQUIRY REPORT

This template report format is for guidance purposes only and may be changed to reflect the individual circumstances/needs of a case.

Department:	
Allegation/Issue	
Type of Inquiry e.g. Disciplinary/ Grievance	
Name/Post of employee(s) subject to inquiry Respondent	
Name of complainant	
Inquiry conducted by	
Chronology of events	
Background	
This may cover: <ul style="list-style-type: none"> How did the issue come to light? Have any other actions been taken prior to the inquiry? 	
Remit of the Inquiry	
This may cover: <ul style="list-style-type: none"> What specific allegations/concerns (by bullet points) were investigated? 	
Inquiry Process	
This may cover: <ul style="list-style-type: none"> A brief description of method(s) used to gather information A record of what interviews/statements were undertaken and documents reviewed 	
Witnesses	
<ul style="list-style-type: none"> List of witnesses interviewed 	
Findings	
This should cover: <ul style="list-style-type: none"> A summary of findings and observations for each specific allegation/issue of concern investigated, cross-referencing any documentation where needed 	
Conclusions	
This may cover: <ul style="list-style-type: none"> For each concern/allegation investigated an overall opinion based 'on the balance of probabilities' on whether there is evidence to support allegations made Recommendations on whether further actions under the relevant employment procedure should be taken 	
Appendices	
<ul style="list-style-type: none"> These should be attached and may include witness statements, investigatory interview notes, chronology of events etc. 	
Signed by Investigating Officers	
Date	