

## CONSTITUTION OF POSH COMMITTEE

**NAME:** SARA SAE PRIVATE LIMITED

**WORKPLACE:** A-1, SARA INDUSTRIAL ESTATE PRIVATE LIMITED, SELAQUI,  
DEHRADUN-248197, UTTARAKHAND, INDIA

The Name of the committee is 'Internal Complaints Committee of SARA SAE Private Limited' ("Committee" or "POSH COMMITTEE") of workplace situated at "A-1, Sara Industrial Estate Private Limited, Selaqui, Dehradun-248197, Uttarakhand, India"

### **OBJECTIVES**

The objective of the constitution of POSH Committee is to comply with the provision of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act") and define the constitution, duties, function, etc of the Committee.

### **MEMBERS**

- a. The Constitution of the Committee is as follows:

S No.	Name of Member	Designation
1.	Ms. Rekha Chauhan	Presiding Officer
2.	Ms. Sunaina Thakur	Internal Member
3.	Ms. Parvinder Kaur	Internal Member
4.	Mr. Ramakant Pathak (Company Secretary in Practice)	External Member

The Committee is constituted as per the provision of Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the members are qualified to be the member of this Committee.

- b. The Tenure of the member is for three years from the date of appointment.
- c. The Presiding office or member shall be disqualified and will be removed from Committee under sec 4(5) of the Act, if he/she:
- i. contravenes the provisions of section 16 (confidentiality) of the Act; or
  - ii. has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
  - iii. he has been found guilty in any disciplinary proceedings, or a disciplinary proceeding is pending against him; or
  - iv. has so abused his position as to render his continuance in office prejudicial to the public interest.

- v. The vacancy so created due to disqualification, or any casual vacancy shall be filled by fresh nomination
- d. Out of the total number of members nominated to Committee by the employer, not less than half members shall be women members.

### **PRESIDING OFFICER**

The Presiding officer should preside over and chair all the meetings and hearing of the Committee. In her absence, the members present may choose any of themselves to be the chairperson of the meeting.

The Presiding officer shall have the casting votes and shall be used in case of the tie in decisions only.

### **DUTIES OF THE PRESIDING OFFICER**

Following are the duties of the Presiding officer

- To preside over meetings of the Committee
- Ensure effective working of the Committee
- Timely reporting to the Employer about the functioning of the Committee.
- Ensuring timely
- Submission of Annual Report under POSH Act.

### **COMMITTEE MEETINGS**

**No. of Meeting:** Committee shall meet at least once in every six months

**Notice of Meeting:** There shall be at least 5 working day notice of the meeting. However, the members may meet at the shorter notice on consent of majority of the members.

**Quorum:** The presence of at least three members of Committee, including the Presiding Officer, is necessary to conduct the inquiry.

In case of any complaint, the committee should hear the matter in such manner, that the complaint is either resolved or recommendation to the employer is submitted within the prescribed time under the Act.

### **DECISION OF THE COMMITTEE**

The Decision of the Committee shall be taken by the majority of the votes. Each Member shall have only one vote.

## **POWERS OF THE COMMITTEE**

The ICC is vested with the powers of a Civil Court under the Civil Procedure Code, 1908.

- 1) Summoning and enforcing the attendance of any person
- 2) Examining such person on oath
- 3) Requiring the discovery and production of documents; and
- 4) Any other matter which may be prescribed.

Once the inquiry is complete and if the Internal Complaint Committee finds the person guilty, the ICC can recommend the employer to take following actions in accordance with Section 13(1)(3) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rule 9 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013:

1. Initiate action against the culprit in accordance with the service rules of the organization.
2. In the absence of service rules, it shall recommend the employer to take any action like written apology, warning, reprimand or censure, withholding promotion, withholding of pay rise or increments, terminating respondent from service or undergoing a counselling session or carrying out community service.
3. It can deduct from the salary of the respondent as compensation to be paid to aggrieved women.

## **DUTIES OF THE COMMITTEE**

Following are the duties of the committee

- Implementation of the Anti-Sexual Harassment Policy at the workplace
- Submit an Annual Report (Including details like the number of case files at their disposal, etc.)
- Bring about awareness about what comprises 'sexual harassment' at the workplace by way of workshops, posters, documents, notices, seminars, etc.
- Publicize the policy framework effectively
- Provide the victims with a safe and accessible mechanism of complaint
- Initiation of inquiry at the earliest
- Redress the complaints in a judicious manner
- Provide interim relief to the complainant
- Provide an opportunity for conciliation wherever possible
- Stick to the principles of natural justice at all stages of the proceedings
- Whenever required, forward the complaint to the police
- Submit the inquiry report along with recommendations
- Maintain confidentiality regarding the proceedings taking place before the Committee

## AMENDMENTS IN CONSTITUTION

The Board of Directors may make any amendment(s) in this constitution of the POSH Committee by passing the resolution. Such changes should be within the provisions of the POSH Act only.

**CERTIFIED TRUE COPY**  
**For SARA SAE PRIVATE LIMITED**

SIGN:  .....

**SUMIT DHAWAN**  
**MANAGING DIRECTOR**

**DIN: 02478738**

**ADD: KH. NO. 93 KA, CHANDROTI, SINOLA,**  
**DEHRADUN - 248003, UTTARAKHAND, INDIA**