

VICEROY HOTELS LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT

INTRODUCTION:

As a Company, we are committed to conducting and governing ourselves with ethics, transparency and accountability and to this, we have developed governance structures, practices and procedures that ensure that ethical conduct at all levels is promoted across our value chain. We are dedicated to ensure that the work environment at all our locations is conducive to fair, safe and harmonious relations, based on mutual trust and respect, between all the associates of the Company. Discrimination and harassment of any type is strictly prohibited. We wish to promote and maintain this culture to ensure that associates of the Company do not engage in practices that are abusive in any form or manner, whatsoever.

The Company aims to provide a safe working environment and prohibits any form of sexual harassment. Hence, any act of sexual harassment or related retaliation against or by any associate is unacceptable. This policy therefore, intends to prohibit such occurrences and also details procedures to follow when an associate believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding Sexual Harassment.

Important definitions

- (a) “Aggrieved Individual” means in relation to a workplace, a person, of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent and includes contractual, temporary employees and visitors.
- (b) “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) who makes a complaint alleging Sexual Harassment under this Policy.
- (c) “Employer” means person who are responsible for management, supervision and control of the workplace including appointment/removal/termination of employees and will include ‘Director and General Manager’ , ‘Chief People Officer (CPO)’ and ‘Chief Operating Officer (COO)’.
- (d) “Internal Committee” means and include an Internal Complaints Committee (hereinafter referred to as the “committee”).
- (e) “Presiding officer” means the presiding officer of the IC and shall be a woman employed at a senior level at the workplace amongst the employees.
- (f) “Respondent” means a person against whom a complaint of alleging sexual harassment has been made under this policy.
- (g) “Parties” means collectively the complainant and the respondent.
- (h) Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.
- (i) Sexual Harassment at the workplace includes:
 - a. unwelcome sexual advances (verbal, written or physical),
 - b. demand or request for sexual favors,
 - c. any other type of sexually-oriented conduct,
 - d. verbal abuse or ‘joking’ that is sex-oriented
 - e. any conduct that has the purpose or the effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

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- f. Inappropriate conduct could also be a joke, a prank or even a compliment. These gestures also lead to harassment although the intention of the individual might not be to offend the other person.
- (j) “Workplace” means establishments, enterprises, institutions, offices, branches, premises, locations or units established, owned, controlled by the Company or places visited by the employees out of or during the course of employment including accommodation, transportation provided by the employer for undertaking such journey and which also includes:
 - i. All offices or other premises where the Company’s business is conducted.
 - ii. All company-related activities performed at any other site away from the Company’s premises. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

1. POLICY:

- 1.1. Viceroy Hotels Limited (herein after referred as “**the Company**”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company, have the right to be treated with dignity.
- 1.2. Sexual harassment at the work place or other than work place is a grave offence and is, therefore, punishable.
- 1.3. The Ministry of Law and Justice, Government of India, has passed the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (**Act**) with the avowed object of providing protection/prevention against sexual harassment of women at the workplace. The Act further provides for the redressal of complaints of sexual harassment.
- 1.4. This policy is in compliance with the provisions of the Act. It is also in keeping with our commitment to the adoption of best practices.

2. SCOPE AND EFFECTIVE DATE:

- 2.1. This Policy extends to all categories of employees of the Company, including permanent management and workmen, temporaries, consultants, trainees and employees on contract at their workplace or at client sites and is deemed to be incorporated in the service conditions of all stakeholders and comes into effect immediately.
- 2.2. Sexual harassment would mean and include any of the following (in addition to the meaning provided under section 2 (n) of the Act):
 - (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 an environment at the workplace that is hostile or intimidating to a person belonging to the other sex;
- (e) conduct of such an act at workplace or outside in relation to stakeholders of the Company, or vice versa during the course of employment; and
- (f) any unwelcome gesture having sexual overtones.

3. INTERNAL COMPLAINTS COMMITTEE:

- 3.1. A Complaints Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Managing Director may constitute such other committees as may be required for the purposes of the Act at the various locations of the Company.
- 3.2. Initially, and till further notice, the Complaints Committee will comprise of the following members:
 - (a) Presiding Officer who shall be a woman employed at a senior level at workplace amongst the employees.
 - (b) At least two members from amongst employees preferably committed to the cause of woman or who have had experience in social work or have legal knowledge.
 - (c) One member from amongst NGO or associations committed to cause of woman or any professional or a person familiar with the issues relating to sexual harassment.

Out of the aforesaid members at least two members will be of the same gender as that of the Complainant, subject to at least one-half of the total members so nominated being women.

- 3.3. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer and at least two other members, one of whom shall be a woman.
- 3.4. You may reach the Committee and report the matter to the below committee ID: info@viceroyp-hotels.in
- 3.5. Internal Complaint Committee (ICC) has been constituted to prevent sexual harassment and to receive and effectively deal with complaints and record in the following manner.

<i>Sr. No.</i>	<i>Name</i>	<i>Designation</i>	<i>Email Id</i>	<i>Contact No.</i>
1.	Penugonda Naga Divya	Presiding Officer	info@viceroyp-hotels.in	9949046999
2.	Ranjit Sadashiv Shirgaonkar	Member	info@viceroyp-hotels.in	9949046999
3.	Sachin Sandu Jadhav	Member	info@viceroyp-hotels.in	9949046999
4.	Swati Dey	Member	info@viceroyp-hotels.in	9949046999
5.	N. Seeta Laxmi	External Member	info@viceroyp-hotels.in	9949046999

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4.1. Where the employer fails to constitute an internal committee or take action or contravenes or attempts to contravene or abets contravention of the provisions of the Act, he shall be punishable with fine which may extend up to fifty thousand rupees. For conviction of same offence again, twice the punishment imposed earlier will be the liability. In cases of higher punishment, revocation, cancellation of registration / license may be imposed.

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5. REDRESSAL PROCESS:

Raising of complaint

(1) Any aggrieved individual may make in writing, a complaint of sexual harassment to the Human Resources (HR) or Administration/personnel Department (through respective Lines of Service HR) (email id: secretarial@viceroyp-hotels.in) within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three (3) months from the date of last incident unless the time period is extended by the Committee.

(2) The complaint should clearly mention name and available details of both the aggrieved person and the respondent. Anonymous or pseudonymous complaints will not be investigated.

(3) Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, as more fully described under Rule 6 of the said Rules, may make a complaint.

(4) The Department or Ethics Office will officially forward the complaint to the Presiding Officer of Committee within seven (7) days from the date of making of the complaint.

(5) The complainant shall submit six copies of the complaint accompanied by available supporting documents and relevant details concerning the alleged act of sexual harassment(s) including names and address of witnesses, if any which the complainant believes to be true and accurate.

Conciliation:

Before the Committee initiates an inquiry, the complainant may request the committee to take steps to resolve the matter through conciliation provided no monetary settlement shall be made as basis of conciliation. If a settlement has been so arrived, the committee 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 committee.

Inquiry:

The Committee will conduct an inquiry into the complaint. Additionally, an inquiry may also be initiated if the aggrieved person informs the IC that any terms of settlement (ref clause above) has not been complied with by the respondent.

The committee within 7 (seven) working days of receiving the complaint shall forward one copy thereof to the respondent for obtaining a response.

The respondent within 10 (ten) working days of receiving the complaint shall file his/her reply to the complaint along with list of supporting documents, names and addresses of witnesses.

The committee shall consider the reply from the respondent and initiate an inquiry. The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the committee. The committee shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.

In the event of failure to attend personal hearing before committee by the complainant or the respondent on three consecutive dates (intimated in advance) without sufficient cause, the committee shall have the right to terminate the inquiry proceedings or give an ex-parte decision. However, the committee shall serve a notice in writing to the party (ies), 15 (fifteen) days in advance, before such termination or the ex-parte order.

The inquiry process shall be completed maximum within the period of 90 (ninety) days from the date of receipt of the complaint.

Prohibition on disclosure of information

This policy prohibits any person from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Committee during the proceedings under the provisions of the Act. Any violation thereto shall also be subject to applicable disciplinary action as outlined in Employee Handbook.

Protection to Complainant

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

Additional Responsibility of the Business Unit Head

- a. provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b. Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting the Internal Committee.
- c. organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs for the members of the Internal Committee in the manner as may be prescribed;
- d. provide necessary facilities to the Internal Complaints Committee dealing with the complaint and conducting an inquiry;
- e. assist in securing the attendance of respondent and witnesses before the Internal Complaints Committee;
- f. make available such information to the Internal Complaints Committee as it may require having regard to the complaint received from aggrieved woman;
- g. provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;

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h. cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, if the aggrieved woman so desires;

i. treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;

j. Monitor the timely submission of reports by the Internal Complaints Committee.

The Internal Complaint Committee shall in each calendar year prepare an annual report in the prescribed form and submit the same to the Business Unit Head and District Officer (District Magistrate / Collector) within 15 days of the close of the calendar year.

Appropriate/ Desired Conduct

- Keeping a respectful physical distance when speaking with a colleague
- Taking care to use respectful language when talking with co-workers and being mindful of one's body language
- A hands-off policy
- Having respect for surroundings and people around even when displaying a sense of humour.
- Discourage conducting meetings in a Hotel Room, make use of common areas (quiet space in the lobby/24-hour cafe/sitting area/lounge) for conducting the meeting. In case the same is unavoidable, a prior approval from the Function Head will be required.
- Taking responsibility for corrective action as soon as one becomes aware of any incident of sexual harassment, even involving others. In case a colleague shares their concern(s) with you, do not trivialize the issue. Encourage the colleague to report the case to IC committee.

Unacceptable Conduct

- An unwelcome physical contact
- Stalking
- Demeaning comments / remarks about physical attributes about women colleagues / customers / clients / vendors
- An employee is made uncomfortable by team members who regularly tell sexually explicit jokes
- An employee pinches and fondles a co-worker against his/her will
- Sending emails or messages to co-workers that contain sexually explicit language and jokes
- Non-verbal unwelcome behavior such as staring repeatedly, obscene gestures, sexually suggestive glances
- Abetting harassment of a colleague
- A senior asking for sexual favours in return for better prospects, threat of withdrawal of benefits, threat to continuity of job of a subordinate

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- Any unwelcome behavior ‘under the influence of alcohol’ cannot be treated as a justification for sexual advances / harassment.

6. OTHER POINTS TO BE CONSIDERED:

- 6.1. The Committee may recommend to the General Manager – HR action which may include transfer or any of the other appropriate disciplinary actions.
- 6.2. The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- 6.3. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 6.4. The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to General Manager HR.
- 6.5. In case the Committee find the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.

7. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim’s interest in keeping the matter confidential to protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

8. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

9. PROTECTION TO COMPLAINANT / VICTIM:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

10. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/discrimination and where every employee is treated with dignity and respect.

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