



POLICY UNDER THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

Ballestra Engineering and Projects Private Limited



This policy is version 3, dated July 31 2025

BRIEF OVERVIEW

Ballestra Engineering and Projects Private Limited (hereinafter referred to as “**Ballestra**”) is committed to a work environment in which all individuals are treated with respect and dignity. Everyone has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Ballestra will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of all employees, Ballestra will seek to prevent, correct, and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

Ballestra encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Ballestra to investigate such reports promptly and thoroughly. Ballestra prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Ballestra takes all allegations of unlawful discrimination, harassment, and retaliation very seriously and this policy is one component of our goal to ensure a workplace free of discriminatory activities. However, please note that the policy is not designed or intended to limit our authority to discipline or take remedial action for any workplace conduct we deem inappropriate, regardless of whether the conduct satisfies the legal definition of discrimination, harassment, or retaliation. Such discipline may include verbal or written reprimand, suspension or termination of employment.

This policy has been framed in accordance with the provisions of “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

PURPOSE

The use of this policy is to ensure that consistent practices in accordance with applicable Laws are followed to provide a safe, secure and enabling environment, free from sexual harassment to every employee.

POLICY STATEMENT

- Ballestra has zero-tolerance towards any act of Sexual Harassment at workplace.
- The perception of the recipient is taken into consideration to assess the situation, not the intent of the perpetrator. Hence, subtle hints seeking sexual favours, double meaning comments and any probability of sexual harassment is viewed seriously in keeping with the zero-tolerance policy.
- In case of any incident of Sexual Harassment, proper investigation will be carried out and strict action will be initiated, in accordance with the policy.
- Victim will be assisted to take Legal action against harasser as a matter of right.

APPLICABILITY AND COVERAGE

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to Ballestra who works with our applicants or employees (e.g., an outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

DEFINITIONS

1. Sexual Harassment refers to any unwelcome and unreasonable act or behaviour of the harasser, whether directly or by implication, against the aggrieved person. It includes but is not limited to physical contact and advances; or a demand or request for sexual favours; or making sexually coloured remarks; or showing pornography; or any other unwelcome physical verbal or non-verbal conduct of sexual nature, which may be through gestures or verbal, textual, graphic or electronic means. It also includes implied or explicit promise of preferential treatment or threat of detrimental treatment in the employment of aggrieved person; or implied or explicit threat about her present or future employment status; or interferes with her work or creating an intimidating or offensive or hostile work environment for her employment; or humiliating. treatment likely to affect the health or safety, if it occurs in connection with any act or behaviour of sexual harassment.
2. **Aggrieved person** - refers to a male or female employee of the Ballestra, who is a victim of Sexual Harassment during the course of employment, wherein the harasser may be a male or female. For the ease of reference, this document mentions the terms 'she' and 'her' for the aggrieved person of either gender.

3. **Classification of Sexual Harassment** includes, but is not limited to the following:

Major offences:

- Physical harassment which refers to kissing, patting, pinching or touching in a sexual manner or demand or;
- Demand or request for sexual favours by action or any form of unwelcome physical contact of a sexual nature;
- Verbal harassment which refers to unwelcome comments about:
 - person's sex or private life,
 - jokes and insinuations,
 - sexually explicit conversation,
 - suggestive comments about a person's appearance or body,
 - demand or request for sexual favours, sexually coloured remarks or overture of sexual nature;
- Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes; and
- Written, visual or graphic harassment which refers to sending text content or graphic content of sexually explicit nature, which may include pornography.

Minor Offences:

- Written, visual or graphic harassment which refers to sending text content or graphic content of sexually explicit nature, screen savers, calendars, desktop wallpaper, posters, pin-ups, websites, presentations or using emails, computer games, short messaging services or multimedia messaging services for the above purposes, addressing unwanted love letters or Letters of a sexually explicit nature; and for

- Emotional harassment which refers to behaviour that isolates or is discriminatory towards or occludes a person on the grounds of his sex or neutrality.
 - Persistent watching, following, contacting of a person;
 - Giving gifts or leaving objects that are sexually suggestive;
 - Non-verbal - harassment which refers to sexually suggestive gestures such as nods, winks, gestures with hands, fingers, legs or arms and making colleagues uncomfortable by looking at their body while communicating with them.
4. **Hostile Work Environment** refers to a work environment when unwelcome physical, verbal, gestural behaviour or any written, visual or graphic representations focusing on sexuality is present to interfere with the victim's work performance or be intimidating or offensive to a reasonable person e.g. certain sexist remarks display of pornography or sexist or obscene graffiti, physical contact or brushing against female employees.
 5. **Quid pro quo** refers to sexual favours "in exchange" of promotion, bonus, perquisites, increment, etc.
 6. **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;
 7. **Workplace** refers to any office or business unit or any other place where the employee works or visit during the course of employment with Ballestra. It also includes any vehicle used for travel for work, duration of transportation and/or transit for travel.
 8. **Internal Committee (IC)** against Sexual Harassment refers to a committee constituted, nominated in accordance with the policy, at all offices or business units of Ballestra.

CONSTITUTION OF INTERNAL COMMITTEE (IC) AGAINST SEXUAL HARASSMENT

IC shall consist of at Least 4 (four) members:

1. **Presiding Officer**: A woman employed at a senior level in the organization or workplace (in the event of her unavailability, the Presiding Officer shall be nominated from other units or Locations)
2. 2 (Two) or more members from the employees of prudent knowledge. who may have experience in social work or legal understanding;
3. 1 (One) external member, from NGOs or associations committed to the cause of women or familiar with the issues relating to sexual harassment.
4. The committee is responsible for:
 - Receiving complaints of sexual harassment at the workplace
 - Initiating and conducting inquiry as per the established procedure
 - Submitting findings and recommendations of inquiries
 - Coordinating with the employer in implementing appropriate action

- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format.
- This committee will be treated as an independent committee and not part of the Ballestra's management. However, for the purposes of smoother administration. The Committee will route the communications to management through Head HR or Presiding Officer/Chairperson IC.
- While conducting an enquiry, the IC shall be vested with the same powers as are vested in a civil court the Code of Civil with respect to the following:
 - (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of documents; and
 - (c) any other matter which may be prescribed.
- The details of Presiding Officer and members of IC to be made available to all employees of the respective locations.
- A common email-id of IC ICPOSH@ballestra.com will be available and it shall be communicated to all employees. The Presiding Officer and all other members of the internal Committee will hold office for a term of 3 (three) years from the date of nomination.
- The Presiding Officer and other members may be re-appointed consecutively for only 2 (two) terms.

In the event the Presiding Officer or any member of the Internal Committee:

- contravenes the provisions of Law; or
- has been convicted for an offence or an inquiry into an offence wider any law for the time being in force is pending against him/her; or
- he has been found guilty in any disciplinary' proceedings or a disciplinary proceeding is pending against him/her; or
- has abused his position as a 'member of the Committee

such Presiding Officer or Member shall be removed from the Committee

- In the event, an IC member is from the same function of department as either the harasser or victim are from, then immediately, that member should inform the Presiding Officer about the same and the Presiding Officer will take decision appropriately.
- The list of members of IC for each location is mentioned in Annexure A.

PROCEDURE FOR FILING A COMPLAINT:

- Any aggrieved person can file a complaint of Sexual Harassment, in writing to IC, within a period of 3 (three) months from the date of incident or in case of series of incident a period of 3 (three) months from the date of Last incident. A delay of an addition 3 (three) months can be condoned if the IC is convinced on the reason of delay, provided in writing by the Complainant.
- A colleague or a co-worker can initiate the complaint in place of the victim, in the afore said time frame.

- The complaint can be filed before the reporting manager or Presiding Officer or any other member of IC in writing.
- The same must be escalated to the IC immediately if escalated to a non-IC member. Confidentiality has to be maintained at all times.
- In the event, the aggrieved person is not able to complain in writing, the Reporting Manager or Presiding Officer or any, member of IC shall provide reasonable assistance to the aggrieved person for making the complaint in writing.
- Anonymous complaints will not be entertained by the IC. However, the same will be looked into as per provisions of the Disciplinary Policy.
- Retaliation, in any form, by any, other employee against either victim or complainant or witness in such complaint will tantamount to serious misdemeanour and strict disciplinary action will be taken against employee.
- In the event of physical or mental incapacity or death of aggrieved person, the legal heirs may file a complaint.
- IC will assist the complainant or his legal heirs in taking legal action against the harasser.

There are two types of mechanics provided by the Act

1. Informal
2. Formal

Informal Mechanism – Conciliation

- Before initiating an inquiry, IC may, at the request of the aggrieved person, take steps to settle the matter between the complainant and respondent through conciliation.
- No monetary settlement can be made based on conciliation.
- In case of settlement through conciliation, IC will record the settlement, with reasons and forward the same to I-lead HR for specific action as per recommendation. Also, provide copies of settlement to both complainant and respondent.
- In case, the terms of settlement are not complied with. IC MIL conduct a formal inquiry. Post- settlement, no further inquiry is required to be conducted by IC.

Formal Mechanism - Conducting and Concluding Inquiry

- In the event, the complainant/ respondent does not wish to initiate settlement through conciliation', an inquiry will be initiated against the respondent by IC.
- IC will conduct all proceedings in closed room in person and/or in camera if required). wherein both the complainant and the respondent will be heard separately.
- At the time of inquiry, statement of both complainant and respondent will be recorded by IC and reasonable opportunity will be even to both the sides to make representation and provide evidence,
- IC may cross-examine the complainant and the respondent,
- On request, witnesses may be allowed from each side to substantiate their claims.

- IC may, however, on their discretion, call upon or question any other person who they think might have knowledge of the incident,
- Any person who appears as a witness before IC must maintain the confidential nature of inquiry. In case, such a witness is found to be divulging information to any other person, disciplinary action will be conducted against such witness,
- The inquiry must be completed within a period of 90 (ninety) days on filing of the written complaint,
- If inquiry, is prolonged for more than 90 (ninety) days, IC should submit written justification along with report and findings to Head HR/ Presiding Officer.
- IC must follow the following milestones for conducting the investigation:
 - Within 1 (one) day of receipt of a complaint against any incident of SexualHarassment, the Presiding Officer must acknowledge the complaint and respond to the Complainant regarding the options of redressal available with the IC.
 - Within 2 (two) days of receipt of a complaint against any incident of Sexual Harassment, the Presiding Officer must confirm verbally or in writing with the members of IC whether there is any inability to be a part of the Committee to investigate the incident, say from the same department or function, etc.
 - In such event, the Presiding Officer must then invite any other such members from the nominated list. who can be part of the Committee.
 - The IC must provide the respondent with a copy of such complaint within 7 (seven) days from receipt of the complaint.
 - On receiving the complaint, the respondent is mandated to file a reply along with the supporting documents and names and address of the witnesses to the Committee within 10 (ten) days.
 - The first meeting of IC must be held within 10 (ten) days of receipt of complaint, wherein the members should fix the tentative schedule of meetings with the complainant, respondent and any other persons, as required and issue the requisite notices in writing. detailing the date, time and venue for the meetings.
 - The first meeting with complainant and respondent must be held within 15 (fifteen)days of upon receipt of response from the respondent on the complaint- The gap between the meetings with complainant and respondent should not be more than 3(three) days.
 - The inquiry must be completed within a period of 90 (ninety) days on filing of the written complaint.
- IC must ensure that there are no delays in conducting the inquiry, at any stage. and that the inquiry should be completed in the shortest possible time frame.
- All proceedings conducted by IC must be recorded. in writing, including the notices and Minutes of Meetings (MoMs) of all interactions.
- The complainant, respondent or witnesses must sign the records of proceedings. Refusal to sign the records of the proceeding will constitute misconduct and separate disciplinary action will be taken against such person.
- During the pendency of an inquiry, on a written request made by the aggrieved person. the Internal Committee may recommend to the management:
 - transfer of the aggrieved person / Complainant or Respondent to any other unit orlocation, or
 - grant Leave to the aggrieved person up to a period of 3 (three months), which wouldbe in addition to the entitled leaves of such person, or
 - suspend the accused for defined period or until the inquiry proceedings arecompleted, or
 - grant any other interim relief to the aggrieved person as may be deemed fit.
 - On implementation of such recommendation, a report will be maintained by IC.

- On the completion of inquiry, IC will provide a report of its findings to the Head – HR, for reporting to the management, within a period of 10 (ten) days from the date of completion of the inquiry.
- Copies of final report shall be provided to the concerned parties.
- On conclusion of inquiry, if the allegation against the respondent is proved, IC will recommend an appropriate action against the guilty which may range from;
 - be admonished or reprimanded or warned verbally or in 'writing
 - be suspended with full forfeiture of salary and allowance by an order in writing.
 - be dismissed from service without notice
 - deduct a still from the salary or final dues payable to guilty, towards the compensation to be paid to the aggrieved person or legal heirs.
- In case the management is unable to make such deduction from salary of the respondent due to his being absent from duty or cessation of employment or any other reason, the management will direct the respondent to pay the compensation to aggrieved person.
- The compensation to be paid to the aggrieved person can be a summation of following determinants:
 - mental trauma, pain, suffering and emotional distress caused to the aggrieved person;
 - loss in career opportunity due to the incident of sexual harassment;
 - medical expenses incurred by the victim for physical or psychiatric treatment; and /
 - income and financial status of accused.
- The management will ensure that appropriate action is taken against the accused, on the basis of recommendation of receipt of report of conclusion of enquiry.
- On conclusion of inquiry, if the allegation against the respondent is not proved, the IC will forward report to the arrangement recommending no action required

REMEDIAL ACTIONS

Complaint Unsubstantiated:

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within Ballestra.

Complaint Substantiated:

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counselling
- ii. Censure or reprimand

- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the Management may deem fit.

The employer at Ballestra acts upon the recommendations within 60 (sixty) days and confirm to the committee

Post implementation of the actions, follow up with the complainant occurs to ascertain whether the behaviour has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is undertaken by the complainant's Line Manager supported by HR.

TERMINATION OF INQUIRY

Committee at Ballestra may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex-parte order.

MALICIOUS OR FALSE COMPLAINT

- On conclusion of inquiry, if IC determines that:
 - allegation against the respondent is malicious, or
 - aggrieved person or any other person who has filed the complaint, has knowingly filed a false complaint, or
 - aggrieved person or any other person has forged any evidence, then IC may recommend strict disciplinary action against such person.
- Unless malicious intent is established, mere inability to substantiate a complaint or provide adequate proof will not attract action against the complainant.

STRICT CONFIDENTIALITY

- The identity and addresses of the aggrieved person, complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of IC and the action taken by the management will not be published, communicated or made known to the public, press and media in any manner.
- The information may be disseminated for awareness without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved person and witnesses.
- In case, any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes the provisions of strict confidentiality, disciplinary action will be taken against such an individual.

PREVENTION OF SEXUAL HARASSMENT

- Ballestra takes full responsibility to provide a safe working environment for all the employees at all offices;
- Ballestra considers Sexual Harassment as a serious misconduct.

- Ballestra will assist the aggrieved person in cases of incident of Sexual Harassment by visitors or third parties.
- Basic psychological counselling will be provided to the victim or complainant, if required.
- Necessary facilities will be provided to IC for dealing with the complaint and conducting an inquiry in an independent manner and without any influence of management or any other senior officials.
- Ballestra will report the number of cases filed, if any, and their disposal in the annual report.

COMMUNICATION OF ISSUES

- ALL queries regarding this policy should be addressed to the Head HR or Presiding Officer of IC.
- Any non-compliance to this policy may be reported to the Head HR or Presiding Officer of IC.

APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

RETALIATION IS PROHIBITED

Ballestra expressly prohibits retaliation of any kind against anyone for making a good-faith harassment or discrimination complaint or in good-faith provides information regarding suspected harassment, discrimination or retaliation or cooperating in an investigation. Any such retaliation is unlawful; as such, we have a zero-tolerance policy for engaging in retaliation. Acts of retaliation must be reported immediately and will be promptly investigated and addressed. Violators will be disciplined, up to and including immediate termination.

AMENDMENTS AND WAIVER

Ballestra reserves the right to amend and/or alter this policy at any time, in accordance with the applicable laws and such updated policy shall be applicable from time to time.

CONCLUSION

Ballestra has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination, and retaliation. Ballestra will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has any questions or concerns about these policies shall approach the Internal Complaints Committee.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of Ballestra prohibit disparate treatment based on sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Annexure A

Internal Committee at Head Office Ballestra Engineering and Projects Private Limited

Sl. No	Name of the Members	Role In IC	Email	Contact No.
1.	Ms. Rekha Salimath	Presiding Officer	rekhas@ballestra.com	+91 9739906148
2.	Mr. Ratul Dutta	Internal Member	ratuld@ballestra.com	+91 8050526481
3.	Ms. Ujwala Suresh Patil	Internal Member	ujwala.sureshpatil@ballestra.com	+91 9594943508
4.	Mr. Virender Kumar Vashist	Internal Member	virenderv@ballestra.com	+91 8527103786
5.	Ms. Devika Singh	External Member	devika.singh@cohereconsultants.com	+91 9818960361