

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

[The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013]

1. Preamble and Objective

Hypersoft Technologies Limited ("the Company") is committed to providing a safe, secure and healthy working environment to all its employees, free from discrimination and harassment of any kind. This Policy has been framed in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Act") and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

2. Scope and Applicability

This Policy applies to all employees of the Company, whether permanent, temporary, contractual, on deputation, trainee, apprentice or otherwise, and whether the terms of employment are express or implied. It extends to all workplaces of the Company, including any place visited by the employee arising out of or during the course of employment, and to all persons, including customers, vendors, consultants, contractors and visitors, who interact with employees of the Company.

3. Definitions

(a) Aggrieved Woman

means, in relation to a workplace, a woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment.

(b) Sexual Harassment

includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication): physical contact and advances; a demand or request for sexual favours; making sexually coloured remarks; showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. Creating an intimidating, hostile or offensive work environment, whether by promise of preferential treatment, threat of detrimental treatment or interference with work, shall also constitute sexual harassment.

4. Internal Committee

The Company has constituted an Internal Committee ("IC") under Section 4 of the Act. The IC shall consist of: (a) a Presiding Officer who shall be a woman employed at a senior level at the workplace; (b) not less than two Members from amongst the employees, preferably committed to the cause of women or having experience in social work or legal knowledge; and (c) one external Member from an NGO or association committed to the cause of women. At least one-half of the total Members of the IC shall be women. Each Member of the IC shall hold office for a period not exceeding three years.

5. Complaint Mechanism

1. An aggrieved woman may make a written complaint to the IC within three months from the date of the incident. In the case of a series of incidents, the complaint shall be made within three months from the date of the last incident. The IC may extend this period by a further three months if sufficient cause is shown.

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2. The IC may, before initiating an inquiry and at the request of the aggrieved woman, take steps to settle the matter through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
3. Where conciliation is not arrived at, the IC shall conduct an inquiry in accordance with the principles of natural justice and complete the same within ninety days of receipt of the complaint.
4. The IC shall submit a report of its findings to the employer within ten days of completion of the inquiry. Where the allegation is proved, the IC shall recommend action for sexual harassment as misconduct and may recommend deduction from the salary or wages of the respondent of an amount to be paid to the aggrieved woman.
5. The employer shall implement the recommendations of the IC within sixty days of receipt of the report.

6. Interim Reliefs

During the pendency of the inquiry, on a written request from the aggrieved woman, the IC may recommend: (a) transfer of the aggrieved woman or the respondent to another workplace; or (b) grant of leave to the aggrieved woman for up to three months in addition to her existing leave entitlement; or (c) restraint on the respondent from reporting on the work performance of the aggrieved woman or having supervisory authority over her.

7. Confidentiality

The contents of the complaint, the identity and addresses of the aggrieved woman, the respondent and witnesses, and any information relating to the inquiry proceedings and the action taken shall be kept strictly confidential in accordance with Section 16 of the Act. Any breach of confidentiality shall be subject to disciplinary action.

8. Protection Against Retaliation

No aggrieved woman, witness or any person who has provided assistance in connection with a complaint shall be subjected to retaliation, victimisation or any form of unfair treatment by any person in the Company. Retaliation against a complainant or witness shall be treated as misconduct and shall be subject to disciplinary action, including termination of employment.

9. Annual Report and Disclosure

The IC shall prepare an annual report and submit the same to the employer and the District Officer. The Company shall disclose in its Annual Board's Report the number of complaints of sexual harassment received during the financial year, the number of complaints disposed of, and the number of complaints pending. This Policy shall be hosted on the website of the Company at www.hypersoftindia.com.