

BATA INDIA LIMITED
PERSONNEL POLICY CIRCULAR

SUB: Revision to Policy of Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

DATE OF ISSUE: August 7, 2020

1. Objective:

Bata India Limited ('the Company' or 'Bata') is committed to providing a work environment free from harassment of any kind and in particular, a work environment that zero tolerance for sexual harassment. We respect dignity of everyone involved in our work place, whether they are employees, suppliers or our customers. We require all employees to make sure that they maintain mutual respect, dignity and positive regard towards one another.

2. Scope :

This Policy extends to all On-Roll Employees of Bata India Ltd. (henceforth, called Employee), employees engaged through third party, business associates, suppliers, vendors, customers visitors and any other related party.

This Policy shall deal with any and all allegations/complaint(s) of Sexual Harassment made by an Employee(s) against an Employee(s), irrespective of whether Sexual Harassment is alleged to have taken place within or outside the Company premises or against employees engaged through third party, business associates, suppliers, vendors, customers visitors and any other related party.

3. Definitions :

3.1 **"Employee"** means any person on the rolls of Bata India Ltd. and to whom this policy is applicable.

3.2 **"Employer"** means" any person responsible for the management, supervision and control of the workplace.

Explanation: For the purposes of clarification "management" includes the person nominated by the board or committee responsible for formulation and administration of polices for the organization.

3.3. Sexual Harassment -

- a) Sexual harassment is unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. Physical conduct of a sexual nature includes all unwanted physical contact.
- b) Verbal forms of sexual harassment include unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, objectionable sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them.
- c) Any other unwelcome physical, verbal or non-verbal gesture or conduct of sexual nature or inappropriate inquiries, and unwelcome whistling directed at a person or group of persons.
- d) Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects in any media.
- e) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment, as defined in (a) above, may amount to sexual harassment:—

- (i) Implied or explicit promise of preferential treatment at work; or
- (ii) Implied or explicit threat of detrimental treatment at work; or
- (iii) Implied or explicit threat about present or future employment status; or
- (iv) Interference with work or creation of an intimidating or offensive work environment; or
- (v) Humiliating treatment likely to affect health, safety or self-esteem.

3.4 Virtual Sexual Harassment

Bata has moved to a virtual workspace be it staying in touch via smartphones or web callings, etc. With this change in the work environment, it is essential that the employees and managers carry the professional code under POSH during all such virtual interactions as well. Few of the guidelines on the virtual interaction are as below:- .

Do's :

1. Proper Attire- Employees attending video conferences must be dressed appropriately. Clothing such as vests, undergarments, T-Shirts with suggestive phrases, etc. to be avoided.
2. Content of Conversation - Keep the conversation specific to work areas, projects, deliverables.

Don'ts :

1. Background of the video call should be suitable. No poster with provocative content or any other inappropriate element should be visible during the video call.
2. No inappropriate jokes should be made.
3. Managers must not insist that female colleagues log on to one-on-one video calls, but have the option to take calls in "audio-only" mode.
4. Late night video calls to be avoided. If it is a business emergency, then the employee can attend it on "audio only mode".

4. Policy statement

- a) All Bata employees will maintain high standards of dignity, respect and positive regard for one another and with all those to whom this policy is applicable, in all their dealings.
- b) All Bata employees will understand and appreciate the rights of the individual to be treated with dignity.
- c) All Bata employees are required to maintain a work environment, which is free from any kind of harassment.
- d) Bata employees will refrain from committing any acts of sexual harassment at work place.
- e) Allegations of sexual harassment will be dealt seriously, expeditiously, sensitively and with confidentiality.
- f) Bata employees will be protected against victimization, retaliation for filing or reporting a complaint on sexual harassment and will also be protected from false accusations.

5. Process

Internal Complaints Committee (ICC) -Members of Internal Complaint Committee

The Internal Complaint Committee shall comprise of as many members as the management may nominate from time to time, provided that at least one-half of the total number of Members shall be women.

The present Members of the ICC shall comprise of the following:

- (i) One Presiding Officer who shall be a senior level woman employee of the Company;
- (ii) Two employee members preferably committed to the cause of women or who have experience in

- social work or have legal knowledge;
- (iii) One outside member from amongst Non-Government Organization or Association committed to the cause of women or a person familiar with the issues relating to sexual harassment, whose fee shall be fixed by the management and revised from time to time.
- The ICC shall under the authorization of the board of directors or committee responsible for formulation and administration of policies for the organization or any other Senior officer or Director/ Managing Director nominated by the board or committee, have the power to sub-delegate their authority to a sub-committee of ICC for monitoring the local issues at Manufacturing Units/ Functional Departments of the Company/ establishments.
 - The Board of Directors may re-constitute the ICC as may be required from time to time, within the stipulated requirements under the Act.

In order to remain more accessible and substantially compliant in law while dealing with the issues of sexual harassment of employees at work place, the management has decided to restructure the Internal Committees to make it more region specific, as under:

The Internal Committee shall comprise of one core committee.

CENTRAL (CORPORATE OFFICE): The Central Committee (Core Committee) shall consist of the following committee members:

- Chairperson: Ms. Priya Bhatia – Sr. Manager – Merchandising
- Members:
1. Ms. Mahima Chandra- Sr. Manager -CSR
 2. Mr. Devesh Sapra- Regional Manager - Human Resources
 3. Ms. Harmeet Kaur - Brand Manager - Kids
 4. Ms. Pooja Awal Chopra - General Manager - Merchandising (Hush Puppies)
 5. Mr. Anil Bhat- External Expert.

All complaints received from northern region including but not limited to corporate office Sector 17, Retail stores, RDC, Warehouse, Motorola building Office, Sector 14 office, any other related party shall be dealt in accordance with law by the aforesaid committee at its Corporate office, Sector 17, Gurugram.

The Internal Complaints Committee of the respective regions shall comprise of the following members:

SOUTH REGION:

- Chairperson: Ms. Priya Bhatia- Sr. Manager -Merchandising
- Members:
1. Mr. MA Vijay Kumar - Sr. Manager- HR
 2. Mr. Prateek Luthra - Business Finance Controller - Retail (South)

The following members of the Central Internal Complaints Committee shall also be part of the above committee to constitute the Internal Complaints Committee of the Southern Region of the Company.

3. Ms. Mahima Chandra- Sr. Manager CSR
4. Ms. Harmeet Kaur- Brand Manager – Kids
5. Mr. Anil Bhat- External Expert

The aforesaid committee shall deal with the complaints received from Regional office South Bangalore, Warehouse, RDC,

Manufacturing unit of Peenya Bangalore and Hosur Chennai, retail stores of Tamil Nadu, Kerala, Andhra Pradesh, Telangana, and Karnataka.

WEST REGION:

Chairperson: Ms. Priya Bhatia– Sr. Manager- Merchandising
Members: 1. Mr. Swapnil Arun Mahajan- Regional Manager -HR
2. Ms. Valerie L Fernandes – Business Analyst

The following members of the Central Internal Complaints Committee shall also be part of the above committee to constitute the Internal Complaints Committee of the Western Region of the Company

3. Ms. Pooja Awal Chopra – General Manager - Merchandising (Hush Puppies)
- 4 Ms. Mahima Chandra- Group Manager CSR
5. Mr. Anil Bhat- External Expert

The aforesaid committee shall deal with the complaints received from Regional office West, RDC, Warehouse, retail stores of Western region such as Maharashtra, M.P, Chhattisgarh, Gujrat, Goa, Deo and Daman.

EAST REGION:

Chairperson: Ms. Priya Bhatia– Sr. Manager – Merchandising
Members: 1. Mr. Snehashish Chowdhury – Regional Manager- HR
2. Ms. Susmita Srimany – Group Manager - Costing

The following members of the Central Internal Complaints Committee shall also be part of the above committee to constitute the Internal Complaints Committee of the Eastern Region of the Company.

3. Ms. Mahima Chandra – Sr. Manager CSR
4. Ms. Pooja Awal Chopra - General Manager - Merchandising (Hush Puppies)
5. Mr. Anil Bhat- External Expert

The aforesaid committee shall deal with the complaints received from Regional office East, RDC, Warehouse, Manufacturing units of Batanagar, Bataganj, retail stores of Bihar, West Bengal, Assam, Tripura, Orissa, Nagaland, Manipur, Mizoram, Jharkhand.

- Further, as also required by the law, in order to prevent the possibility of any undue pressure or influence, such Panel / Complaints Committee also involves a third party (not associated with Bata India Limited and any of its subsidiaries / associate companies) who is familiar with the issue of sexual harassment.
- The minimum quorum out of the 6 members (including the Chairperson) three member are must for conducting all the proceedings under the Sexual harassment cases.
- In the event any member of the aforesaid committee ceases or exits its association with the Company for whatever reason, the Management shall appoint a replacement of the same within 30 days thereof. Further, if a member wishes to voluntarily resign for the Complaints Committees he/she shall submit its resignation to the Management.

- The Presiding Officer (Chairperson) and every Member of the Internal Committee shall hold office to a maximum period of three years, from the date of their nomination.
- The External member of committee shall be paid such fees or allowances for holding the proceedings of the Internal Committee, as may be agreed between the management and the member.

Grievance Procedure

- a). Any Employee (“Complainant”) may lodge a complaint of Sexual Harassment (“Complaint”) against an (“Accused”) who could be any employee or anyone else upon whom this policy is applicable, with any of the members of the Panel or through whistle Blower platform within 30 days from the date of occurrence of the alleged incident. If the Complainant feels that she /he cannot disclose her/his identity for any particular reason with the Panel members, she/he can address the complaint to the Managing Director/Whistle officer of the Company or management.
- b) Such a Complaint shall necessarily be in writing.
- c) The Complainant shall sign at the foot of each page of the Complaint.
- d) The Complaints Committee will hold a meeting with the Complainant within a period of 15 (fifteen) days of the receipt of the complaint and advance intimation in writing will be given to the Complainant of the same.
- e) At the first meeting of the Complaints Committee, the Complainant shall be heard and her/ his statement recorded (Statement of Allegation). The Complainant can produce corroborative material with a documentary oral material, etc., to substantiate his / her complaint/ allegations.
- f) Thereafter, the Accused will be called by the Complaints Committee and will be informed of the Complaint and an opportunity will be given to the Accused to give an explanation, whereafter, an “Enquiry” shall be conducted.
- g) However, in the event the complaint does not fall under the purview of Sexual Harassment or the Complaint on the face of it does not disclose an element or offence of Sexual Harassment, the Complaints Committee may drop the complaint after recording the reason/s thereof and shall subsequently communicate the same to the Complainant, in writing.
- h) In case the complaint made by the complainant is found to be false and *malafide* at any stage, it shall amount to misconduct and the complainant shall be liable for appropriate disciplinary action as per the Service Rules.

Procedure for Enquiry

- a). The Complaint’s Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and the Accused in writing. The Complaints Committee shall record all the proceedings of the Enquiry and all parties present at any of the communication meetings, shall endorse the same in token of authenticity thereof.
- b). The Complaints Committee shall hand over the Statement of Allegation to the Accused and give an opportunity to the Accused to submit a written explanation if she/ he so desires within 15 days of receipt of the same.
- c). The Complainant will be provided with a copy of the written explanation submitted by the Accused.
- d). If the Complainant or the Accused desire any witness/es to be called, they shall communicate in writing to the Complaints Committee the names of witness/es whom they propose to be called.

- e). If the Complainant desires to tender any documents by way of evidence before the Complaints Committee, she / he shall supply true copies of such documents to the Complaints Committee. Similarly, if the Accused desires to tender any documents in evidence before the Complaints Committee he / she shall supply true copies of such documents to the Complaints Committee and will affix his / her signature on the same to certify it to be a true copy.
- f). If the Complainant or the Accused desire any witness/es to be called, they shall communicate in writing to the Complaints Committee the names of witness/es whom they propose to be called.
- g). If the Complainant desires to tender any documents by way of evidence before the Complaints Committee, she / he shall supply true copies of such documents to the Complaints Committee. Similarly, if the Accused desires to tender any documents in evidence before the Complaints Committee he / she shall supply true copies of such documents to the Complaints Committee and will affix his / her signature on the same to certify it to be a true copy.
- h). The Committee will call upon all witnesses mentioned by both the parties.
- i). The Complaints Committee will provide every reasonable opportunity to the Complainant and to the Accused, for putting forward and defending their respective cases.
- j). The Internal Complaints Committee shall complete the “Enquiry” as soon as is reasonably possible and communicate its findings to the Management preferably within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- k). Where the Internal Complaints Committee arrives at the conclusion that the allegation against the accused/respondent has been proved, it shall recommend to the Management
 - (i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent.
- l). The management or any one nominated by the management shall take appropriate action in accordance with the applicable provisions of law, while keeping in view the principles of Natural Justice and equity.
- m). The Complaints Committee shall be governed by the provisions of Prevention of Sexual Harassment at work (prevention, prohibition and redressal) Act and the rules made thereunder, besides Service Rules & Regulations, while taking into account the best practices from India and Abroad.

6. Confidentiality:

The contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, findings of the Internal Committee and the action taken by management of Bata India shall not be published, communicated or made known to the public, press and media in any manner. All complaints / grievances of sexual harassment will be taken seriously, will be held in strict confidence and will be investigated promptly in an impartial manner. For the purpose of completing the investigation, key witnesses or other stakeholders may be required to be taken into confidence at the strict discretion of the Internal Committee.

7. Applicability

The Policy shall is already operational and the revision shall become operational from 7th August 2020.

GENERAL INSTRUCTIONS

Protection against Victimisation

- The Company is duty bound to take appropriate steps to prevent sexual harassment.
- The victim of Sexual Harassment has the option to seek transfer of the perpetrator or his / her own transfer from one department/branch/station to another.

Obligation of the Management

The Management of the Company shall provide all necessary assistance ensuring effective implementation of this policy.

Third Party Harassment

Where sexual harassment occurs as a result of an act or omission by any third party or an outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

Annual Report

The Internal Complaint Committee shall prepare in such form and at such time as may be prescribed an Annual report at the end of each Calendar/financial year of the Company, giving a full account of its activities during the previous year and forward a copy thereof, to the Management or the person/committee nominated and forward the consolidated report as mandated under the Act to the concerned Authorities.

Frequently Asked Questions (FAQs)

1) What is sexual harassment?

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favours, and other sexually oriented conduct, which is offensive or objectionable to the recipient.

2) When is conduct unwelcome or harassing?

Unwelcome sexual advances (either verbal or physical), requests for favours and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is either explicit or implicit act.

The conduct having sexual overtones has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

3) What is not sexual harassment?

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It only refers to behaviour that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with the morals and values at work.

4) What should one do if harassed sexually?

If anyone feels that she has been the recipient of sexually harassing behaviour, report it immediately to the supervisor and the respective HR Manager. It is preferable to make a complaint in writing, but one can accompany or follow up the written complaint with a verbal complaint.

If the supervisor is the source of the harassing conduct, report the behaviour to the next level or as mentioned in the sexual harassment policy.

The identity will be protected and one will not be retaliated against for making a complaint.

5) What happens after a complaint is made?

The ICC will investigate the complaint. The committee will first speak to the person who has made the complaint and then will speak to the person named in the complaint. The anonymity of the involved parties will be maintained.