



ASPRI SPIRITS LIMITED
(Formerly known as Aspri Spirits Private Limited)



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POLICY FOR PREVENTION OF SEXUAL HARRASMENT

Version History

Document Title	Policy for Prevention of Sexual Harassment
Version	1.0
Effective Date	05.12.2025
Document Approved by	Board of Directors



POLICY FOR PREVENTION OF SEXUAL HARASSMENT

1. Purpose:

Aspri Spirits Limited (“the Company”) is committed to creating and maintaining an atmosphere in which employees can work together, without fear of sexual harassment or exploitation. The Company provides equal employment opportunity for all its employees and is committed to creating and maintaining a healthy and secure working environment where its employees and all other stakeholders can work and pursue business together, free from prejudice, gender bias, harassment and exploitation caused by acts of Sexual Harassment.

2. Objective and Scope of Policy:

2.1 The policy has been formulated keeping in view the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the “Act”) and Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Rules, 2013 (the “Rules”).

2.2 This policy applies to all the employees.

2.3 It applies to the workplace as defined hereunder as well as to the activities connected to the workplace.

3. Definitions

3.1 “aggrieved woman” means, a woman, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Aggrieved woman includes:

- Internals
- Externals
- Visitors
- Trainees

3.2 “employee” means a person employed at a workplace on regular, temporary, adhoc or daily wage basis, whether for remuneration or not.

Employee includes:

- Contract employee
- Ad-hoc employee
- Probationer
- Trainee
- Apprentice

3.3 “respondent” means a person against whom the aggrieved woman has made a complaint of sexual harassment under this policy;



3.4 "Sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances;
- A demand or request for sexual favours;
- Making sexually coloured remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances, in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment (not an exhaustive list):

- Implied or explicit promise of preferential treatment in her employment.
- Implied or explicit threat of detrimental treatment in her employment.
- Implied or explicit threat about her present or future employment status.
- Interferes with her work or creating an intimidating or offensive or hostile work environment for her.
- Humiliating treatment likely to affect her health or safety.

While it is not possible to list all circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies or prowess;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities, and
- The behavior which creates an environment that is intimidating, hostile, or offensive for a woman, and thus interferes with her ability to work.

4. Internal Complaints Committee ("ICC")

4.1 Every complaint received from an Aggrieved Person against the Respondent shall be forwarded to Internal Complaints Committee formed under the Policy. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose.

Internal Complaints Committee has been constituted and included the following members as nominated by the Company:

- A Presiding Officer, who shall be a woman employed at a senior level in the relevant office. If a senior level woman employee is not available, the Presiding Officer shall be nominated from any other office of the Company;



- At least two (2) members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

4.2 The names and contact details of all members of the ICC for each office shall be duly displayed on the main notice board of such office.

4.3 The constitution of ICCs will be reviewed every year and addition/deletion of members may be done as may be required.

5. Procedure for Complaint

5.1 If any aggrieved woman believes that she has been subjected to sexual harassment, she can approach ICC at her region/location and file a complaint as described below:

A complaint may be made within a period of three (3) months from the date of occurrence of an incident and in case of a series of incidents, within a period of three months from the date of the last incident.

The complainant shall submit to ICC, six (6) copies of the complaint along with supporting documents and the names and addresses of the witnesses.

5.2 Where an aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by her relative or friend; or her co-worker; or an officer of the National Commission for Women or State Women's Commission; or any person who has knowledge of the incident, with the written consent of the aggrieved woman;

5.3 Where an aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by her relative or friend; or a special educator; or a qualified psychiatrist or psychologist; or the guardian or authority under whose care she is receiving treatment or care; or any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;

5.4 Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;

5.5 Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

6. Procedure of Inquiry

6.1 The ICC shall send a copy of the complaint received from the aggrieved woman to the respondent within seven (7) working days.



- 6.2** The respondent shall file his reply to the complaint along with his /her list of documents and names and addresses of witnesses, within ten (10) working days from receipt of copy of the complaint.
- 6.3** The ICC shall conduct inquiry in accordance with principles of natural justice, including: Both the parties shall be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents before the ICC. Upon completion of the inquiry, a copy of the report shall be made available to both the parties.
- 6.4** The ICC shall have the right to terminate the inquiry proceedings or decide the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer after giving a notice in writing, fifteen days in advance, to the concerned party.
- 6.5** The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
- 6.6** In conducting the inquiry, a minimum of three members of the ICC including the Presiding Officer shall be present.
- 6.7** All complaints shall be finally determined within a period of ninety (90) days of the complaint having been made. A report of the case, findings and recommended action proposed by the ICC shall be completed within this time.

7. Confidentiality

- 7.1** Investigation into a complaint will be conducted in such a way as to maintain confidentiality. It will include a private interview with the person filing the complaint and with any witnesses. The ICC will also interview the person alleged to have committed sexual harassment.

8. Important Misc. Provisions

8.1 Interim Measures

During the pendency of an inquiry, on a written request made by the aggrieved woman, the ICC may recommend to the Company to: transfer the aggrieved woman or the respondent to any other workplace; or grant leave to the aggrieved woman upto a period of three months; or restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer.

8.2 Findings of ICC

An investigation may result in one of the following conclusions:

- (i) the allegation against the respondent has been proved: In this case, ICC shall recommend to the management:
 - (a) to take any action for misconduct including a written apology, reprimand, warning or



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censure; withholding of promotion, withholding of pay rise or increments, terminating the respondent from service or undergoing a counselling session or carrying out community service;

(b) to deduct, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine in accordance with the Act and Rules. However, if the Company is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment, it may direct to the respondent to pay such sum to the aggrieved woman. Also, if the respondent fails to pay such sum, ICC may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

- (ii) The allegation against the respondent has not been proved: In this case, ICC shall recommend to the management that no action is required to be taken in the matter.
- (iii) The allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or produced any forged or misleading document:

In this case, ICC may recommend to the management to take action against the woman or the person who has made the complaint, as a misconduct and or recommend to the management to take any action including a written apology, reprimand, warning or censure; withholding of promotion, withholding of pay rise or increments, terminating the woman who has made the complaint, as the case may be, from service or undergoing a counseling session or carrying out community service.

It is clarified that a mere inability to substantiate a complaint or provide adequate proof need not attract aforesaid action against the complainant.

It is clarified further that the malicious intent on the part of the complainant shall be established after an inquiry in accordance with the procedure prescribed before any action is recommended.

On the completion of an inquiry, the ICC shall provide a report to the management within ten (10) days. The management shall act upon the recommendation within sixty (60) days of its receipt.

If the conduct complained of amounts to sexual assault instead of sexual harassment, the ICC, subject to the wishes of the complainant, shall take appropriate action in making a complaint with the appropriate police authority. The ICC will actively assist and do all that is necessary to ensure the safety of the complainant in the office premises or otherwise in respect to any duties/activities performed in connection with her work, which take place outside office premises.



8.3 Management Role

Pursuant to the preventive steps set out above, management shall take reasonable steps to:

- a) Treat sexual harassment as a misconduct and initiate action for such misconduct;
- b) Provide all necessary assistance for the purpose of ensuring full, effective and prompt implementation of this policy;
- c) Provide assistance to the woman if she so chooses to file a complaint in relation to the offence falling within the meaning and definition of sexual assault;
- d) Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- e) Organise awareness programmes and workshops at regular intervals for sensitizing the employees around sexual harassment and orientation programmes for the members of ICC.
- f) Report the number of cases filed, if any, and their disposal under the Act, as required by the applicable law.

8.4 Employee's Role

The employees shall have a responsibility to:

- a) Become fully informed about and compliant with company's harassment redressal policy;
- b) Attend training programs to be better informed about sexual harassment;
- c) Speak up where either they or someone they know is experiencing sexual harassment at work;
- d) Desist from and discourage the spreading of rumors with regard to any instance of sexual harassment;
- e) Maintain confidentiality regarding any aspect of an investigation which they may be party to;
- f) File a complaint if aggrieved;

Every effort should be made to promptly report any incident of sexual harassment. (Investigation of complaint becomes difficult with passage of time).

However, there may be situations, where employees are unable to report immediately. Affected employees may report an incident within three months of its occurrence and give the reason for delay in reporting.



8.5 HR's Role

- a) Own this policy and take responsibility for updating the same from time to time;
- b) Announce this policy to all employees and effectively display the same alongwith all other employment policies;
- c) Ensure this policy is included in the induction process for new employees;
- d) Advise and consult with ICC;
- e) Advise and counsel employees;
- f) Receive complaint and help direct it to ICC;
- g) Ensure consistency in applying this Policy

9. Amendment to the Policy

The Board may amend or modify this Policy, in whole or in part, at any time without assigning any reason whatsoever.

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