



MODERN TOOLING SOLUTION

INTERNAL CIRCULAR

To

All the employees (Including Contractual Workers)

Modern Tooling Solution

No 282, 6th main road, SIDCO Industrial Estate, Thirumudivakkam, Chennai 600 044

Sub:PoSH ACT 2013 Internal Committee

Dear All,

Sexual Harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. In an effort by the management to promote the well-being of all women employees at the workplace, a Policy against Sexual Harassment is applicable on all the employees including contractual workers. In pursuant to the provisions of the Sexual Harassment of the Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; an Internal Committee is constituted with immediate effect and the following shall be its structure: -

INTERNAL COMMITTEE (IC) STRUCTURE

Name	Designation
Ms. Ranjani	Presiding Officer
Mr. John D'Silva	IC Member
Mr. Naresh	IC Member
Ms. Devika Thilak	External Member

For any clarifications/ doubts, the employees are requested to contact to HR Department of the Company.

**Venkatesan C
Managing Director**

PoSH Internal Committee Constituted on 03/10/2025



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Encl.: Policy on 'Prevention of Sexual Harassment' and Constitution of Internal Committee

MODERN TOOLING SOLUTION Policy on 'Prevention of sexual Harassment'

1.0 APPLICABILITY

This policy is known as Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 & the Rules (hereinafter referred to as 'Policy') and is applicable to all employees of **Modern Tooling Solution, No 282, 6th main road, SIDCO Industrial Estate, Thirumudivakkam, Chennai 600 044**, deployed at the workplace who are either

- (a) On the rolls of the establishment; or
- (b) Engaged through the Contractor (s) having service agreement with the establishment or as enumerated in clause (f) of Section 2 of the SHWW Act.

1.1 THE POLICY

Modern Tooling Solution, is an equal employment opportunity Man power 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. Sexual harassment at the workplace or other than workplace if involving employees is a grave offence and is, therefore, punishable.

This policy has been formulated keeping in view the provisions under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 (hereinafter referred to as SHWW Act) and its Rules. The said policy is to define the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment in addition to the matters connected therewith or incidental thereto. For any doubt or further clarification, reference be made to the SHWW Act and its Rules.

- 1.2 The Hon'ble Supreme Court of India has also directed companies to lay down guidelines and setting up of a forum for redressal of grievances related to sexual harassment.
- 1.3 This policy includes the provisions laid down under *the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Act 14 of 2013) as its integral part.*



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DEFINITIONS

1. Complainant: "Complainant" refers to any woman employee [as per section 2(a) of SHWW Act] who has lodged a complaint of sexual harassment at workplace and has been subjected to any act of sexual harassment by another employee (hereinafter referred to as 'respondent'). 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 by the respondent and includes contractual, temporary, visitors.

2. Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved woman

3. Employee: A person employed at the 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 by any other such name.

4. Workplace: 'Workplace' – Refers to clause O of the SHWW Act and also includes all offices, branches and workshops located anywhere in India. It also includes any place visited by the employees arising out of or during the course of employment including transportation provided by the Management of the establishment for undertaking the journey.

5. Employer: A person responsible for management, supervision and control of the workplace

3.0 SCOPE

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees. This policy is applicable to all allegations made against an employee, irrespective of whether sexual Harassment is alleged to have taken place within or outside Company premises in Thirumudivakkam unit.

4.0 EFFECTIVE DATE OF IMPLEMENTATION



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This Policy comes into effect from 3rd October 2025.

5.0 Preamble

Sexual Harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. In an effort to promote the well-being of all women employees at the workplace, this Policy envisage as under:

- (a) it shall be the duty of the management of the establishment to prevent or deter the commission of any act of sexual harassment at the workplace.
- (b) Sexual harassment will be considered as misconduct and action will be taken based on the findings of the enquiry in this context.
- (c) The definition of sexual harassment will be as defined in section 2(n) of the SHWW Act.

5.1 To promote a productive work environment.

5.2 Not to tolerate verbal or physical conduct of a sexual nature by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

Harassment that is unchecked has the potential to hurt the employer's operations through decreased productivity and increased employee turnover.

6.0 WHAT CONSTITUTES SEXUAL HARASSMENT?

Sexual harassment: Sexual Harassment may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

6.1. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:

- a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit



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- b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
- c. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will.
- d. Demand or request for sexual favors
- e. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body
- f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas
- g. Electronically transmitted Sexual Messages (SMS, MMS, WhatsApp, Twitter, Instagram, Facebook etc.)

6.2. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:

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

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

6.3 Based on these criteria, sexual harassment typically is categorized into two types:

- (a) **"Quid Pro Quo (this for that) Harassment":** Sexual harassment by managers and supervisors generally is considered "quid pro quo" harassment when it involves the solicitation of sexual favours in exchange for some type of employment decision. To prove quid pro quo harassment, a



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complaining employee must show that he/she was subject to an unwelcome request for sexual favours by a supervisory employee and that his/her acquiescence to, or rejection of, the request was used as the basis for decisions affecting his/ her compensation, terms, conditions, or other privileges of employment. Preferential Treatment also may constitute quid pro quo harassment.

(b) **"Hostile Work Environment Harassment":** Harassment by non-supervisory employees generally falls into the category of "hostile environment" sexual harassment rather than "quid pro quo" harassment. Typically, there is no direct link between the offensive conduct and a tangible job benefit or detriment in hostile environment cases. An employer is responsible for hostile environment harassment by non-supervisory employees only **if the employer knew or should have known of the harassment and failed to take immediate and appropriate remedial action.**

- 6.4 Sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non -employees, is prohibited.
- 6.5 Any of the above conduct, or other offensive conduct, directed at individuals because of their race, caste, creed, religion, physical disability, family background, pregnancy or age is also prohibited.

7.0 RESPONSIBILITY OF THE EMPLOYEE

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behavior
- c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

Any employee who believes that a supervisor's, manager's or other employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaint should be made to the PoSH IC.



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7.1 RESPONSIBILITY OF THE EMPLOYEE

All managers at of **Modern Tooling Solution**, must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in anyway.

8.0 INTERNAL COMMITTEE:

A Committee has been constituted by the Management namely "Internal Committee" (IC), to consider and redress complaints of Sexual Harassment.

8.1 The Committee (IC): The Current nominated members of the PoSH Internal Committee are as follows: -

Statutory Requirements of the IC

Name	Designation
Ms. Ranjani	Presiding Officer
Mr. John D'Silva	IC Member
Mr. Naresh	IC Member
Ms. Devika Thilak	External Member

8.2 Internal Committee: To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "**Internal Committee**" is constituted at each location. The detail of the committee is notified to all covered persons at the location (workplace).

The committee at each location comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace



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- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- That at least 50% of total strength of Committee should be women

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

8.3 A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, IC Member and External Member.

9.0 PROCEDURE

A timely investigation of allegations of sexual harassment is important. A complaining employee or unjustly accused individual also may suffer increasing emotional distress the longer any resolution is delayed.

[A] Procedure of filing a Complaint

- (a) The complaint should be made by an aggrieved woman within a period of three months from the date of occurrence of incident and in case of serious incidents, within a period of three months from the date of last incident. The complaint by an aggrieved woman employee shall be made to IC in writing and be sent either post or given in person to the IC of the establishment or any officer authorised by IC in writing.
- (b) The IC may, for the reasons to be recorded in writing, extend the time-limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employees from filing a complaint within the said period. Where the employee is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir may make a complaint under this section.



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It is, however, pertinent to state that where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by –

- (a) Her Legal heir or relative or friend; or
- (b) Her co-worker; or
- (c) An officer of the National Commission for Women or State Women's Commission; or
- (d) Any person who has knowledge of the incident, with the written consent of the aggrieved women.

Where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by –

- (a) Her Legal heir or relative of friend; or
- (b) A special educator; or
- (c) A qualified psychiatrist or psychologist; or
- (d) The guardian or authority under whose case she is receiving treatment or care; or
- (e) 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.

Notes: (i) Where the aggrieved woman for any other person is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.

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.

[B] Procedure to be followed post-receipt of Complaint

- (a) The IC would go through the details of the complaint and evaluate if there is a *prima facie* case or not. While doing that, IC will keep in mind that the Complainant Employee is not subjected to enquiry more than once. However, if the complaint complexity requires that the Complainant Employee is to be called for more than once for enquiry, then utmost sensitivity should be displayed, and adequate precaution would be taken to ensure that there is no loss of dignity to the Complainant Employee.
- (b) The IC will initiate a detailed enquiry as deemed fit.



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(c) The IC may, before initiating an enquiry and at the request of the Complainant Employee, take steps to settle the matter between her and the Respondent Employee through conciliation, provided that no monetary settlement shall be made as a basis of conciliation. Where a settlement has been arrived during conciliation, the IC shall record the settlement and forward to the Employer or District office to take action. However, if the terms arrived during conciliation has not been complied with by the Respondent Employee, the IC shall proceed to make an enquiry into the complaint or as the case may be forward the complaint to the Police. The copies of the settlement as recorded during conciliation shall be provided to both the parties.

(d) The IC shall after completing the enquiry, submit its recommendations to the management with recommendations of the penalty to be imposed.

(e) In case no settlement is arrived the IC, shall, where Respondent is an employee, proceed to make inquiry into the compliant in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed or in case of a domestic worker, the Local Committee shall, if *prima facie* case exists, forward the complaint to police, within a period of seven days for registering the case under Section 509 of the Indian Penal Code (45 of 1860), and any other relevant provision of the said Code where applicable.

(f) Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

(g) Notwithstanding anything contained in Section 509 of the Indian Penal Code, the court may, when the respondent is convicted for the offence, order payment of such sums as it may consider appropriate to the aggrieved woman by the respondent, having regard to the provisions of section 15 pertaining to determination of compensation.

(h) Under BNS (Bharatiya Nyaya Sanhita, 2023) It is the new criminal law of India that replaces the Indian Penal Code (IPC), 1860.

Section 74 **Assault or criminal force to woman with intent to outrage her modesty**

Section 75 Sexual Harassment



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Section 76 Assault or use of criminal force with intent to disrobe a woman

Section 77 Voyeurism

Section 78 Stalking

Section 79 Word, gesture, or act intended to insult the modesty of a woman

(i) The submission of the recommendations by the IC to the Management shall be completed within a period of ninety days (90) from the date of receipt of the Complaint by the IC.

(j) The HR Department will extend full co-operation in facilitating to conduct the proceedings by the IC.

Important: for the purpose of making an inquiry under sub-section (1), the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely: -

(a) Summoning and enforcing the attendance of any person an examining him on oath

(b) Requiring the discovery and production of documents; and

(c) Any other matter which may be prescribed

9.3 The IC can take steps to settle the matter between the aggrieved woman and the respondent; however, this option will be used only at the request of the woman. It is also provided that monetary settlement shall not be made a basis of conciliation. Further, if any of the conditions of the settlement is not complied with by the respondent, the complainant can go back to the Committee who will proceed to make an inquiry.

9.4 The Committee is required to complete the inquiry within a time period of 90 days. On completion of the inquiry, the report will be sent to the employer, as the case may be, they are mandated to take action on the report within 60 days.

9.5 In case the complaint has been found proved, then the Committee can recommend action in accordance with the provision of service rules applicable to the respondent or as per the rules which will be prescribed, where such service rules do not exist. The committee can also recommend deduction of an appropriate sum from the salary of the respondent or ask respondent to pay the sum. In case the respondent fails to pay such sum, district officer may be asked to recover such sum as an arrear of land revenue.



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- 9.6 In case the allegation against the respondent has not been proved then the Committee can write to the employer/district officer that no action needs to be taken in the matter.
- 9.7 In case of malicious or false complaint then the penalty may be levied as per the Service Rules. However, this clause has a safeguard in the form of an enquiry prior to establishing the malicious intent. Also, mere inability to prove the case will not attract penalty under this provision.
- 9.8 It is to be provided to give relief to the aggrieved woman in the interim period including leave and transfer during the pendency of the inquiry.
- 9.9 The identity and addresses of the aggrieved woman, respondent and witnesses shall not be disclosed. However, information regarding the justice secured to any victim of sexual harassment under this Act without disclosing the identity can be disseminated.
- 9.10 The Committee shall be required to organize workshops and awareness programmes at regular intervals for sensitizing the employees about the provision of this legislation and display notices regarding the constitution of Internal Committee, penal consequences of sexual harassment etc.

10.0 Resolution procedure through conciliation

- (i)Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. **This is only if requested by the aggrieved woman.**
- (ii)It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
- (iii)In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within **2 weeks** of receipt of complaint.
- (iv)The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted

11.0 Manner of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses



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- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present

12.0 Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to-

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same

13.0 Termination of Inquiry

Committee at **Modern Tooling Solution** 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

14.0 Considerations while preparing inquiry report



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While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity of being heard
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee

15.0 Action to be taken after inquiry

- Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within **10 days** of completion of the inquiry.
- The findings and recommendations are reached from the facts established and is recorded accurately.
- If the situation so requires, or upon request of the complainant, respondent or witness, Management at **Modern Tooling Solution** may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

16.0 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.



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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 the company.

17.0 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 **Modern Tooling Solution** acts upon the recommendations within **60 days** and confirm to the committee.

Post implementation of the actions, follow up with the complainant occurs to ascertain whether the behavior 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.

18.0. Malicious Allegations

Where the committee arrives at the conclusion that 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 the aggrieved woman or any other person making the complaint has produced any forged or misleading



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document, it may recommend to the employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

19.0 Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

20.0 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.

21.0 OTHER POINTS TO BE CONSIDERED

- The Committee may recommend to the Management action which may include transfer or any of the other appropriate disciplinary action.
- The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider **Modern Tooling Solution** shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.



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- The Committee shall analyse and put-up report on all complaints of this nature at the end of the year for submission to Management.
- 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.

22.0 Consequences of Violation of the Policy

Any employee, supervisor, or manager who is found to have violated the harassment policy will be subject to appropriate disciplinary action, up to and including termination. The Company prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

All employees of **Modern Tooling Solution** are required to acknowledge the fact that they have read, understood and accept all the provisions of the company's Policy on Sexual Harassment.



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Gender-Neutral Policy on Prevention of Sexual Harassment at Workplace

1. Objective

The objective of this policy is to foster a workplace that is safe, dignified, and free from any form of sexual harassment, irrespective of gender, sexual orientation, or role in the organisation. **Modern Tooling Solution** is committed to upholding principles of equality, inclusivity, and respect, thereby enabling all employees, trainees, interns, consultants, vendors, clients, and associates to work without fear of harassment or intimidation.

2. Scope and Applicability

- This policy applies to **all employees** (permanent, temporary, ad hoc, contractual), **consultants, interns, apprentices, vendors, service providers, clients, visitors** or any person associated with the **Modern Tooling Solution**.
- The policy covers incidents occurring:
 - **Within the workplace premises** (office, factories, branches, plants, retail outlets, etc.).
 - **During work-related travel, training, meetings, conferences, social gatherings** (official or semi-official).
 - **In virtual/online spaces** (emails, social media, messaging apps, video calls used for work purposes).
 - **Outside office hours** if such conduct affects the work environment, safety, or dignity of any individual.

3. Definition of Sexual Harassment (Gender-Neutral)

Sexual harassment includes any unwelcome, sexually coloured behaviour (directly or by implication), physical, verbal, non-verbal, or written conduct that creates a hostile, intimidating, or offensive environment. This includes but is not limited to:

- **Physical Conduct:** Unwelcome touching, hugging, patting, stroking, kissing, invasion of personal space, physical assault, or coerced sexual acts.
- **Verbal Conduct:** Comments on body, appearance, gender identity, sexual orientation, or private life; sexually suggestive jokes, remarks, or innuendos; persistent unwelcome invitations or propositions.



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- **Non-Verbal/Visual Conduct:** Leering, staring, gestures, displaying sexually explicit material, offensive images or messages (digital or physical).
- **Online Harassment:** Inappropriate messages, texts, memes, images, or videos sent via official or personal channels that affect the professional environment.
- **Retaliatory Harassment:** Any adverse treatment, threat, or reprisal because an individual refused or reported such conduct.

4. Policy Declaration

- **Modern Tooling Solution** has **Zero Tolerance** for sexual harassment in any form, against any individual, regardless of gender, sexual orientation, or position.
- All complaints will be taken seriously, dealt with promptly, and investigated fairly and confidentially.
- The dignity and privacy of the complainant, respondent, and witnesses will be respected at all times.

5. Internal Committee (IC)

In compliance with the **PoSH Act, 2013** (India), **Modern Tooling Solution** shall constitute an **Internal Committee (IC)** to address complaints of sexual harassment.

- The IC will consist of:
 - **Presiding Officer:** A senior woman employee.
 - **Two or more members:** From among employees, with experience in social work/legal knowledge.
 - **External Member:** From an NGO or an individual familiar with issues relating to sexual harassment and gender diversity.
- While the law mandates a woman Presiding Officer, this organisation recognises **all gender identities as eligible complainants and respondents.**

6. Complaint Mechanism

- **Mode of Complaint:** Complaints can be made in writing (email/letter) or electronically. Assistance will be provided if the complainant is unable to draft it.
- **Timeframe:** Complaints should be filed within 3 months of the incident (extendable by IC if sufficient cause is shown).



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- **Third-Party Complaints:** Complaints may also be filed by a colleague, friend, family member, or witness if the individual is unable to do so themselves.

7. Inquiry Procedure

- **Preliminary Assessment:** The IC will acknowledge receipt and conduct an initial assessment.
- **Conciliation:** At the request of the complainant, conciliation may be attempted without monetary settlement.
- **Formal Inquiry:** Conducted in accordance with principles of natural justice:
 - Both parties shall be given equal opportunity to present evidence, witnesses, and statements.
 - Proceedings will remain confidential.
 - Interim relief measures (e.g., transfer, leave, reporting change) may be recommended by the IC.
- **Report & Recommendations:** IC will submit its findings to the Employer within 10 days of completing the inquiry.
- **Disciplinary Action:** May include written apology, warning, counselling, suspension, termination, or other actions per service rules.

8. Protection Against Victimisation

- Retaliation or intimidation against complainants, witnesses, or IC members is strictly prohibited.
- Any such act will invite strict disciplinary action.

9. Awareness & Training

- The organisation shall regularly conduct **gender-sensitisation and PoSH training programmes** for employees, managers, and IC members.
- Policy will be displayed at prominent places in the office and shared with all stakeholders.

10. Confidentiality

- All proceedings, identities, and records related to complaints will be kept strictly confidential, except where disclosure is legally mandated



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11. False/Malicious Complaints

- Malicious or knowingly false complaints will invite disciplinary action.
- However, inability to prove allegations does not automatically mean the complaint was false.

12. Employer's Responsibilities

- Provide a safe, inclusive, and respectful working environment.
- Ensure timely constitution of IC as per law.
- Provide all assistance to the complainant, respondent, and IC during inquiry.
- Implement IC recommendations in good faith.

13. Policy Review

This policy will be reviewed periodically (at least once every three years) to ensure continued relevance, legal compliance, and alignment with best practices on workplace safety and inclusivity.