



Policy on Prevention of Sexual Harassment at Workplace Revision No: 04, Dated 07th June, 2023

Policy on Prevention Prohibition And Redressal of Sexual Harassment at Workplace

PREVENTION,PROHIBITION AND REDRESSAL OF SEXUAL HARRASSMENT AT WORKPLACE		
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Preamble:

Taking a leap forward in its fight against sexual harassment, the Indian Parliament passed “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” (“the Act”). The object of the Act is to provide protection against sexual harassment in the organized as well as the unorganized workplace and provide a proper mechanism of redressal of complaints of sexual harassment.

More Retail Private Limited (“MRPL” or “the Company”) is committed to provide a work environment that is professional and mature, free from animosity and one that reinforces our value of integrity that includes respect for the individual. Every employee has the Right to be free from Sexual Harassment and the Right to Work in an environment free from any form of Sexual Harassment in accordance with the Act.

MRPL will not tolerate any form of sexual harassment and take all necessary steps to ensure that its employees are not subjected to any form of sexual harassment. MRPL will actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment against its employees.

Objective:

Sexual harassment is not only a serious misconduct but also a criminal offence that can destroy human dignity and freedom. In an order to promote the wellbeing of all the employees, MRPL has framed a policy on prevention, prohibition and redressal of sexual harassment at workplace (the “Policy”) with the following objectives:

- To uphold the commitment of Company to provide an environment free of discrimination and indecent behavior at workplace.
- To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment.
- To ensure the implementation of the Policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate Committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.
- To evolve a mechanism and forum for the prevention and redressal of sexual harassment.

Scope and applicability:

This Policy applies to all categories of employees of the Company, including any person – working in Head Office, Regional office, Distribution Center, Repacking Center, F&V center, Commissary & Collection center on a 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 expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name, at the workplace or vendor or customer sites. The Company will not tolerate sexual harassment, if engaged in by customers or any other business associates.

The workplace includes:

1. All offices or other premises where the Company’s business is conducted.
2. All Company-related activities performed at any other site away from the Company’s premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the

4. Any place visited by the employee arising out of or during the course of employment including transportation provided by the Employer for undertaking such a journey

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as Sexual Harassment. In all the above cases, it is not the intention but the impact of any such action.

Definitions, acronyms & abbreviations:

“Aggrieved Individual” - For the purpose of this Policy, an individual of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by MRPL employee or any third-party associated with MRPL.

“Presiding Officer” – For the purpose of this Policy, she heads the team of respective ICC and is responsible for ensuring that investigation of a complaint is conducted in an unbiased/ fair manner & confidentiality of the investigation proceedings is maintained.

“Complainant Employee/Individual” or “CE”- means an Aggrieved Individual who lodges a Complaint with the ICC.

“Employee” - For the purpose of this Policy, the term “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.

This broad definition of ‘Employee’ used for the purpose of this Policy cannot be used to claim rights of an Employee conferred by any other law in India and this definition is only for the purpose of this Policy. It is hereby clarified that the Policy shall govern the Employees and other persons residing in India.

“Employer” - For the purpose of this Policy, the term “Employer” means any person responsible for the management, supervision and control of the workplace and management includes the person or board or committee responsible for formulation and administration of policies for the Company.

“Internal Complaints Committee” or “ICC” – For the purpose of this Policy, committee is formed at to investigate complaints of sexual harassment referred to it and makes appropriate recommendations to the Employer. In order to have speedy redressal of grievance four regional level complaints committee have been formed.

“Respondent Employee” or “RE” - For the purpose of this Policy, “RE” refers to any Employee against whom the complaint for sexual harassment has been lodged.

“Sexual Harassment” – For the purpose of this Policy, term “Sexual Harassment” shall include but not be restricted to the following:

Sexual Harassment is such unwelcome sexually motivated behavior (whether directly or by implication) as:

- Physical contact and advances; or
- A demand or request for sexual favors; or
- Making sexually colored remarks; or
- Showing pornography, writing sexually loaded letters/emails/SMSs; or
- And/or any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

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Further the following circumstances among other circumstances, if it occurs or is present in relation to or connected with any act of behavior of Sexual Harassment, amounts to sexual harassment:

- a) Implied or explicit promise of preferential treatment of his/her employment, or
- b) Implied or explicit threat of detrimental treatment of his/her employment, or
- c) Implied or explicit threat about his/her present and future employment status, or
- d) Interfering with his/her work and creating an intimidating or offensive or hostile work environment for his/her, or
- e) Humiliating treatment likely to affect his/her health and safety.

“Workplace” – For the purpose of this Policy refers to all Stores, Offices, Distribution Center, Repacking Center, Fruits and Vegetables Center, Commissary & Collection Center located anywhere in India. It also includes any place visited by the Employee during the course of employment to carry out official duties.

Constitution of the ICC:

The respective ICCs shall be formed covering all MRPL establishments to investigate complaints of sexual harassment referred to it and carry out investigations and the Employer to take decision on such matters. Each ICC shall consist of the following members to be nominated by the Employer:

- a. Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees: Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of workplace. The Presiding Officer shall automatically vacate office upon ceasing to be Employee of the Company.
- b. The committee will consist of not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge. The members shall automatically vacate office upon ceasing to be Employee of the Company.
- c. 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; the member shall vacate office upon termination of contract with the Company.
- d. Provided that at least one-half of the total Members so nominated in the ICC shall be women.
- e. Members of the ICC shall be notified from time to time.
- f. The respective ICCs will meet once every quarter to discuss Complaints and issues received by it and the course of actions and status on each. The respective ICCs should also meet even if there are no formal Complaints made and to discuss the overall scenario of safety at Workplace and precautions needs to be taken to further strengthening of system.

Removal or Replacement of ICC members or Presiding Officer

In the event Presiding Officer and / or any member of the ICC:

- a. Contravenes any provisions of the Policy; or
- b. Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him / her; or
- c. Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him / her; or
- d. Has so abused his / her position as to render his / her continuance in office prejudicial to public interest, such Presiding Officer or member as the case may be, shall be removed from the ICC.
- e. The Presiding Officer and every member of the respective ICC shall hold the office for a period not exceeding three years from the date of their nomination and these ICC would work strictly as per provisions of the Act.

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 ICCs will comprise of the following members:

POSH Committee Members		
Particulars	Name	Designation
	Ms Prerna Verma	Presiding Officer
	Ms Harshada Patil	External Member
	Mr. Manish Solanki	Member
	Mr. Manoj Sharma	Member
	Mr. Rajesh Naidu	Member
	Ms. Arathi Shivkumar	Member
-	Ms.Prachi Gera	Member
East		Presiding Officer
	Ms.Prerna Verma	
	Ms Harshada Patil	External Officer
	Ms.Arathi Shivkumar	Member
	Ms Neeta Fernandez	Member
	Mr. Debarghya Ghose	Member
	Mr. Sourojit Ghose	Member
	Mr. Appa K	Member
South (Covers all Stores, DCs, Offices and Establishments in the State of Karnataka,Telangana, Andhra Pradesh, Tamil Nadu & Kerala)		
	Ms.Prerna Verma	Presiding Officer
	Ms.Ms Harshada Patil	External Member
	Mr. Sriharinadha Alluri	Member
	Ms. Arathi Shivkumar	Member
	Mr. Phaniraj Gharaju	Member
	Ms. Aayoosha Jha	Member
	Mr. Vivek Shetty	Member

Central POSH Committee	Name	
Head office and West		
	Ms. Prerna Verma	Presiding Officer
	Ms Harshada Patil	External Officer
	Ms.Arathi Shivkumar	Member
	Ms. Madhura Desai	Member
	Mr. Samuel John Kasim	Member
	Mr. Vikas Iyer	Member
	Mr. Karan Singh Purohit	Member

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The Chairperson and every member of the respective ICC shall hold the office for a period not exceeding three years from the date of their nomination and these ICC would work strictly as per provisions of the Act

Management Team:

MT will decide on the disciplinary action to be taken in each case; post the recommendation by the respective ULCC, within stipulated timelines.

MT constituted at corporate office is as below:

Name Role

1. Mr. Vinod Nambiar-Chairperson
2. Mr. Laxman Ramnarayan-Member
3. Mr. Ganesh Subramanian-Member
4. Mr. Giridhar Ayanur Seetharam-Secretary
5. Ms. Sonia Rawat-Member

Key actions and responsibilities of the employer

1. Create awareness amongst employees about the policy at regular intervals for sensitizing the employees with the Act.
2. Ensuring every new Employee is made aware of the policy
3. Pasting the policy at visible areas in office and stores.
- 4 Organize orientation programs for the members of the ULCC.
- 5 Assist in securing the attendance of RE and witnesses before the ULCC and make available such information to the POSH Committee as it may require with regards to the complaint.
- 6 Provide assistance to the Aggrieved Individual if he/she chooses to file a complaint under IPC or any other law.
- 7 Cause to initiate action under the IPC or any other law against the RE or if the Aggrieved Individual so desires, where the RE is not an Employee, in the workplace at which the incident of sexual harassment took place.
- 8 Treat sexual harassment as a misconduct under the service rules and initiate action for misconduct.
- 9 9 Monitor the timely submission of reports by the ULCC 10 MRPL has to include in its report the number of cases filed and their disposal in the Annual report.

Employer

The Employer -Managing Director will decide on the disciplinary action to be taken in each case; post the recommendation by the respective ICC, within stipulated timelines. :

Procedure for filing Complaints:

1) COMPLAINT REDRESSAL MECHANISM-

- i. An Aggrieved Individual may make in writing, a complaint of Sexual Harassment to the ICC, within a period

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of three (3) months from the date of the incident and in case of series of incident, within a period of three (3) months from the date of last incident.

- ii. Where the ICC is satisfied that the circumstances were such which prevented the Aggrieved Individual from filing a Complaint within the said period of three months, the ICC may extend the time limit beyond 3 months, by recording the reasons in writing.
- iii. Where the Aggrieved Individual is unable to make a Complaint on account of his/her physical incapacity, a Complaint may be filed by
 - a. relative or friend; or
 - b. co-worker; or
 - c. Any person who has knowledge of the incident, with the written consent of the Aggrieved Individual
- iv. Where the Aggrieved Individual is unable to make a Complaint on account of his/her mental incapacity, a Complaint may be filed by –
 - a. Her/his relative or friend; or
 - b. A special educator; or
 - c. A qualified psychiatrist or psychologist; or
 - d. The guardian or authority under whose care she/he is receiving treatment or care; or
 - e. Any person who has knowledge jointly with her/his relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she/he is receiving treatment or care;
- v. Where the Aggrieved individual for any other reason is unable to make a Complaint, a Complaint may be filed by a person who has knowledge of the incident, with his/her written consent;
- vi. Where the Aggrieved Individual is dead, a Complaint may be filed by any person who has knowledge of the incident, with the written consent of her/his legal heir(s).
- vii. A Complaint may also be made orally. If the Complaint is oral, member of the ICC to whom the Complaint is made shall record the same in writing, in detail, and have the contents confirmed by the Complainant.

2) PROCEDURE FOR RESOLUTION, SETTLEMENT OR PROSECUTION:

- A. Conciliation – The ICC may, before initiating an inquiry, at the request of the Aggrieved Individual may take steps to settle the matter between him/ her and the Respondent. The conciliation shall not be on monetary settlement basis. The settlement terms shall be recorded in writing and forwarded to Employer for action if required. Copies of the same shall be provided to the Aggrieved Individual and the Respondent. Where a settlement has been arrived at, no further inquiry shall be conducted by the Internal Committee.
- B. If the above is not possible, the ICC shall proceed to make inquiry into the Complaint in such manner as prescribed hereunder:
 - (i). The Complainant or the person lodging a Complaint on behalf of the Complainant shall file, with the Internal Committee, 6 written copies of the Complaint along with the supporting documents and names and addresses of witnesses.
 - (ii). On receipt of Complaint the ICC shall within a period of 7(Seven) days send one of the copies of the Complaint to the Respondent.
 - (iii). The Respondent shall, within a period of 10 (Ten) days from the date of receipt of Complaint from the Internal Committee, file his/her reply to the Complaint along with his list of documents, names and addresses of witnesses.
 - (iv). The ICC shall investigate the Complaint and provide its report as promptly as possible but not later than 90 working days from the date of the Complaint.
 - (v). The ICC shall follow principles of natural justice in all its proceedings and subject thereto, shall maintain confidentiality of the identity of the Complainant, and the witnesses, as also the contents

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- of the Complaint. Where the Respondent is subject to any applicable service rules of Company, the proceedings of the ICC shall be conducted, as far as practically possible, in accordance with such service rules, and to the extent provided therein and in accordance with applicable law.
- (vi) A copy of the Complaint as recorded by the ICC shall be given to the Respondent as well as the Complainant. The Respondent shall be required to submit her/his response to the Complaint as well as to indicate whether the Respondent wishes the ICC to examine any witnesses or furnish any evidence. The Complainant shall also be required to indicate in writing whether the Complainant wishes the ICC to examine any witnesses or furnish any additional evidence.
 - (vii). Upon receipt of the responses from the Respondent and the Complainant, the ICC shall conduct a hearing at such venue or venues as are convenient to the Complainant, where both the Complainant and the Respondent shall be heard in person. The ICC shall notify both the Respondent and Complainant (as well as the witnesses, if any) of the time and venue of each hearing. Any records of the proceedings of such or any other hearings or meetings of the ICC shall be maintained strictly confidential.
 - (viii). For the purpose of making an inquiry into the complaint the ICC shall have powers of the civil court as under:
 - a) Summoning and enforcing attendance of any person and examining him/her on oath
 - b) Requiring the discovery and production of documents; and
 - c) Any other matter which may be prescribed
 - (ix) Upon completion of the hearing, the ICC shall prepare its written report which shall include a summary of the proceedings, the evidence adduced by the parties and the witnesses, and shall submit the same to Employer. The said report shall further set out the Internal Committee's conclusions on whether an offence of Sexual Harassment, or any other violation of this Policy, has been committed or occurred, or whether the Complaint made by the Complainant is either false or unproven, as also the reasons/rationale for the Internal Committee's arriving at such conclusion. The said report shall further set out the Internal Committee's recommendations on the disciplinary action(s) to be taken against the Respondent or Complainant (as the case may be). All members of the ICC shall sign the said report.
- C. Where the ICC arrives at a conclusion that the allegations against the Respondent have been proved, it shall recommend the following:
- To take action for sexual harassment as an act of misconduct in accordance with the rules/regulations of Company covering 'conduct and discipline' as applicable to the Respondent; and/or
 - To deduct such amounts from the salary or wages of the Respondent as may be considered appropriate to be paid to the Complainant as per this Policy.
- In addition to the above, the recommendations may also include one or more the following, written apology; warning; reprimand or censure; withholding of promotion; withholding of pay rise or increments; termination of service of the Respondent.
- D. On the basis of the recommendations of the ICC, if either the Aggrieved Individual or the alleged Respondent is an Employee of Company it shall transfer either party to any other workplace as it deems fit and proper. The place of transfer shall be as per Company's requirements and neither the Aggrieved Individual nor the alleged Respondent shall have any choice in the matter.
- E. During the pendency of the inquiry, if the ICC is independently of the view that the presence of the alleged Respondent at the workplace may be detrimental to the interest or conduct of a free and fair inquiry, it can recommend to Employer to place the alleged Respondent under suspension pending completion of the inquiry, provided that the person sought to be suspended is a direct Employee of the Company.
- F. It is the duty of all parties concerned, i.e. the aggrieved employee, alleged respondent, and/or the witnesses, to maintain utmost secrecy and confidentiality with regard to the identity of the Aggrieved Individual, details of the Complaint, inquiry proceedings, findings, recommendations, and action taken by Company. All parties involved in any Sexual Harassment matter must keep all aspects of the matter confidential.

- G. Any person aggrieved from the recommendations made by ICC or non-implementation of such recommendations may prefer an appeal to the appellate authority as per the provisions of the Act.

3) MALICIOUS OR FALSE COMPLAINTS

If an Employee is found to have raised a malicious or false Complaint against another person in order to prejudice that person the Complainant may also be subject to appropriate disciplinary action as per service rules of Company. For recommending any punishment it is mandatory that the malicious intent on the part of the aggrieved women shall be established in an inquiry held for this purpose.

Prohibition of publication or making known contents of Complaint and inquiry proceedings

Under no circumstances, the respective ICCs would reveal or disclose, the contents of the complaint, identity and address of the Aggrieved Individual, RE, Complainant and witness, information relating to conciliation and inquiry proceedings, recommendations of the respective ICCs and the action taken by the Employer shall not be published, communicated or made known to the public, press and media – other than all those who are required to know about the case.

Punishment for false or malicious Complaint and false evidence

During investigation, if the respective ICCs conclude that the Complaint is not a genuine one and the Aggrieved Individual or Complainant has made the Complaint knowing it to be false or with malicious intent or the Aggrieved Individual or Complainant has produced any forged or misleading document, the respective ICC will recommend the Employer to issue a warning letter to the Aggrieved Individual or Complainant or any other suitable action as required.

Action could also be recommended against Employees who abetted the misconduct knowingly. Written warning could also be issued to Employees who were in the knowledge of this however did not highlight the same.

Relief to Employees during the pendency of an inquiry :

Any Employee who is a part of an investigation shall not be victimized or subject to any unfavorable treatment.

During the pendency of the inquiry of the ICCs, on a written request by the Aggrieved Individual, the respective ICCs can recommend the following to the Employer:

- a. Restrain the RE from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer.
- b. The respective ICCs can also recommend to the Employer to transfer of Aggrieved Individual or RE to another unit;
- c. Grant leave up to a period of three months to Aggrieved Individual which shall be over and above the official leave.
- d. Grant such other relief to the Aggrieved Individual as may be prescribed. Nothing in these guidelines should be taken in any way as a limitation on the powers of the Employer to decide what disciplinary action(s) appropriate under given circumstances.

Guidelines for the ICCs while recommending disciplinary action:

Witness

- a. In case the respective ICCs arrives at a conclusion that during the enquiry a witness has given false evidence or produced false or misleading documents , they may recommend the respective CHRO to take appropriate action.
- b. The respective ICC after completion of the enquiry in accordance with the provisions of the principle of natural justice submit its recommendation to the respective Employer. If the RE is found guilty and the investigation is completed, the respective ICC will recommend the quantum of punishment to be given. While deciding on this, the committee will consider the following:

- Severity of the misconduct
- Past record of the RE
- Past precedence of treating similar violations

Aggrieved Individual or Complainant

- c. In case the respective ICC arrive at a conclusion that the allegation against the Respondent is malicious or false complaint or the Aggrieved Individual or the Complainant has made or produced false documents, the respective ICC may recommend to the respective CHRO to take action against the Aggrieved Individual or the Complainant.
- d. ICCs in certain specific cases as it deems fit, may forward Complaints directly only of the following nature to the Employer for further deliberation or investigation.
 - Complaints that are critical or severe in nature or involve a senior member in the region; or
 - Complaints where there are insufficient evidences to arrive at a conclusion.

This exception would be allowed only in the above said situations.

Guideline for the respective Employer:

- a. The respective ICC will forward the report to the Employer and Employer would then decide on the punishment and implement the same within 15 days of receiving the respective ICC recommendation. While implementing the order, the Employer will ensure that the name of the Aggrieved Individual or the Complainant is kept confidential at all times.
- b. Employer shall reconstitute ICC members in case of Complaint is filed against any of its members.
- c. To direct Respondent to appear before the respective ICC for timely completion of enquiry.
- d. Monitoring timely submission of closure report by the respective ICC and review the working of the respective ICC on quarterly basis.

Appeal by Aggrieved Individual or the Complainant:

- a. The Aggrieved Individual or the Complainant has the option to appeal to the next higher-level committee i.e. Executive Committee if he/she appeals, the decision of Employer- MD will be final and binding.^[rs4]
- b. If the Aggrieved Individual or the Complainant chooses to appeal against the recommendations made by the respective ICCs, he/she has to submit a request in writing to the Employer within 90 days of receiving the order.
- c. If the request is not received within 90days, the next higher-level committee has the option to reject the appeal.
- d. Based on the request for appeal, the committee will decide whether to reinvestigate/ re-look at the quantum of punishment. However, the next higher-level committee will close the case within 21 days of receiving the appeal.
- e. The Aggrieved Individual or the Complainant has the option of seeking his/her own transfer if the case is found to be valid and serious.

Confidentiality

The contents of the Complaint, the identity and addresses of the Aggrieved Individual , RE and Witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC , as the case may be, and the action taken by the Employer shall not be published, communicated or made known to the public, press and media in any manner. If the same is violated, the Company from such person shall take action as per the provisions of the service rules . Provided that information may be disseminated only by the employer regarding the justice secured to any victim of Sexual Harassment under this Act without disclosing the name, address, identity or any other particulars

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that may lead to the identification of the Aggrieved Individual and Witnesses.

Employee Education:

All Employees shall be bound to follow and make themselves aware of this Policy and ensure that they have read the same. A copy of this Policy will be given to all new Employees on joining.

MIS Reporting & Metrics:

Board update on POSH shall be shared for board meeting as per plan. The respective ICC will submit a report comprising details of all cases and actions taken and provide for the following details:

- i. No of issues not resolved within stipulated timelines at each ICCs to be shared with the Employer;
- ii. No of complaints received & reported within timelines in a month by each ICC to the Employer;
- iii. No of cases pending for more than ninety days;
- iv. Number of workshops or awareness programs carried out;
- v. Nature of action taken by the Employer.

Assumptions and Exceptions:

Any exception to this Policy guidelines will be considered on a case-to-case basis and the same has to be approved by the Employer. The interpretation of this Policy rests exclusively with the Employer and the decision of the Employer shall be final and binding on all Employees

Annexure I- Template for reporting Sexual Harassment (For reference purpose)

To:

The Internal Complaints Committee

Sexual Harassment details:

Who is/are the person/people involved in this sexual harassment case? Please provide the name designation, Unit, Business and relationship with you (eg. supervisor, colleague etc.)

Critical Incidents and Factual Data:

a. Please describe the incident/s

b. List supporting information/ data that you would have, that ICC can seek from you while investigating. Eg. exact date/s, place/s of the incident/s, witnesses, if any, text messages, emails etc.

Date: _____

Location: _____

Name of the Person reporting: _____

Contact Information: _____

(Mention official e-mail id / cell no)