



ANTI -SEXUAL HARRASSMENT POLICY

SUICH INDUSTRIES LIMITED

(Formerly Known as Suich Industries Private Limited)

ANTI – SEXUAL HARRASSMENT POLICY

PREAMBLE

Suich Industries Limited (“Company”) is committed to creating and maintaining a secure work environment where it’s Employees, Agents, Vendors and Partners can work and pursue business together in an atmosphere free of harassment, exploitation and intimidation caused by acts of Sexual Harassment within but not limited to the office premises and other locations directly related to the Company’s business.

‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013’ (Sexual Harassment Act) was passed by the Parliament and came into force on 23rd April 2013. It was enacted to ensure a safe working environment for women. It provides for protection to women at their workplace from any form of sexual harassment and for redressal of any complaints they may have initiated. The Act was formed on the basis of the guidelines laid down by the Supreme Court in its landmark judgment, viz., Vishakha v. State of Rajasthan (where sexual harassment was first defined) but is much wider in scope, bringing within its ambit the domestic worker as well.

All concerned should take cognizance of the fact that Suich Industries Limited (“Company”) strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder.

We at Suich Industries Limited are committed towards giving every employee a just and fair hearing on issues encountered by them at the workplace with special attention to sexual harassment. Suich Industries Limited will take very serious disciplinary action against any victimization of the employee who is complaining or the alleged harasser that may result from a complaint.

OBJECTIVE

The specific objectives of this Policy are:

- To fulfill the directive of the Supreme Court of India enjoining all employers to develop and implement a Policy against sexual harassment of women at the work place or in the course of official duties. The policy will remain applicable wherever employees have occasion to interact with each other including for example, in vehicles, third party premises, off site meetings and public venues.
- To uphold Women’s’ Right to Protection against Sexual Harassment and the Right to Livelihood and towards that end for the prevention and redressal of Sexual Harassment of Women.

- To evolve an effective mechanism for the prevention, prohibition and redress of sexual harassment of women at the work place or in the course of official duties with the Company.
- To promote an environment that will raise awareness about and deter acts of sexual harassment of employees of the Company.
- To ensure implementation of the Policy in letter and spirit by taking all necessary and reasonable steps including but not limited to constitution of appropriate Committees for purposes of gender sensitization and to conduct enquires into complaints of sexual harassment.
- To uphold the commitment of the Company to provide an environment that is free from discrimination and violence against women.
- To generate general awareness against sexual harassment of women at the workplace.

DEFINITION:

“Aggrieved Person” means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.

“Company” means Suich Industries Limited.

“employee” means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages 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;

“Internal Complaints Committee” means a committee constituted by Company as per this Policy.

“Respondent” means a person against whom the aggrieved person has made a complaint.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:

- Physical contact and advances; or
- A demand or request for sexual favors; or
- Making Sexually colored remarks; or
- Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or

- Any other unwelcome physical, verbal or non - verbal conduct of sexual nature;
or

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- a. implied or explicit promise of preferential treatment in their employment;
- b. implied or explicit threat of detrimental treatment in their employment;
- c. implied or explicit threat about their present or future employment status;
- d. interfering with their work or creating an intimidating or offensive or hostile work environment;
- e. Humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

“Workplace” includes any factory, department, organization, undertaking, establishment, enterprise institution, and office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

SCOPE

Suich Industries Limited’s Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers every “employee” across the Company. Suich Industries Limited encourages every employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company’s offices /branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the company for undertaking such visit. Company’s Policy against sexual harassment includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsource employees. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

This Policy comes into force with immediate effect.

CONSENSUAL SEXUAL RELATIONSHIPS

The Company discourages sexual relationships between a member of Management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person); as such relationships could lead to conflicts of interest at work.

It is therefore in the best interest of all concerned, that if there is such a relationship, the involved parties notify Management of the Company so that the reporting chain can be altered to ensure that no direct or in direct reporting relationship continues.

INTERNAL COMPLAINTS COMMITTEE / COMPLAINT REDRESSAL COMMITTEE

- An Internal Complaints Committee/ Complaint Redressal
- Committee (hereinafter called 'Committee') has been constituted by the Management of the Company to consider and redress complaints of Sexual Harassment. The Chairman and Members of the Committee are as follows:
 - 1) **Ms. Gunjan Goyal** - **Presiding officer**
 - 2) **Ms. Upneet Chahal** - **Member**
 - 3) **Mr. Gunnit Singh Allagh** - **Member**
- A Quorum of three members is required to be present for the proceedings to be conducted in the Committee. The Quorum shall include the Chairperson, at least two members, out of which one Member shall be a woman.
- If in the Committee the member representing the category of the defendant is junior in the hierarchy of the Company to the defendant, then, for that particular enquiry that member shall be substituted on the Committee by another person, senior in rank to the defendant.
- No person who is a complainant, witness or defendant in the complaint of sexual harassment shall be a member of a Committee.

- Any Committee member charged with sexual harassment in a written complaint must step down as a member during the enquiry into that complaint.
- Changes in the Members of the Committee, whenever necessary, shall be made as expeditiously as possible by the Competent Authority.

REPORTING AND REDRESSAL PROCESS

- The mechanism for registering complaints should be safe, accessible and sensitive. All complaints must preferably be brought by the complainant in person. All precaution will be taken to protect the privacy of the individuals involved. Any aggrieved employee who is of the view that he/she is being sexually harassed directly or indirectly, may submit a complaint of the alleged incident to any or all the members of the Committee in writing with his/her signature within three months from the date of occurrence of incident.

It is also encouraged that both parties maintain records of all incidents, (such as, physical copies of emails, details of dates, places, witnesses and their feelings at the time of the alleged harassment. Photographs, video/audio recordings submitted should be tamper proof. These are useful should a formal process come up).

Provided however that where such complaint cannot be made in writing, the Chairperson or any Member of the Internal Complaints Committee, as the case may be, shall render all reasonable assistance to the individual concerned for reducing the complaint in writing.

- A written complaint with the following details must be submitted:
 - a. State the name of the alleged offender including designation and contact numbers;
 - b. State the date(s) and location(s) of the alleged incident(s) of harassment;
- A detailed description of the incident(s) in question as well as other relevant circumstances; The written complaint/email must provide the details of the incident together with the name/s of, the alleged harasser/s and the victim/s, as available.
- Names of witnesses and physical and/or documentary proof if any that supports the allegation; including other potential complainants, if any;

- Complaint should include with contact details of the complainant / victim such as name, address, contact number, department etc;
- The filing of a complaint shall not ordinarily adversely affect the Complainant's status/job/salary/promotion, grades, etc. During the pendency of an enquiry and till the final determination of a complaint of sexual harassment under this Policy, the Company shall not alter the conditions of service of the Complainant/Witness/Supporter concerned to their prejudice, as a consequence to the filing, participation or holding of an enquiry under this Policy.
- The Company encourages prompt reporting of Sexual Harassment incidents so that timely and appropriate action may be taken. Nevertheless, considering the sensitivity of the issue and the emotional aspects that may arise, a delay may be considered favorably by the Committee provided the Complainant submits sufficient cause for such delay. In case the employee has experienced Sexual Harassment during his/her tenure of employment, but has since left the services of Company, then the Committee shall accept a Complaint so long as it is received in writing within three months from the date of cessation of employment.
- If an employee believes that he/she is experiencing retaliation of the nature of intimidation, pressure to withdraw the case or threats for reporting, testifying or otherwise participating in the proceedings before the Committee, then, such employee should immediately report the matter to the Committee. Such incidents shall be treated as seriously as an alleged case of Sexual Harassment and will apply even if the original complaint is not given. Similarly, any undue influence whether direct or indirect, to the proceedings by any party shall be construed as 'Misconduct' and shall attract disciplinary action.
- The Committee shall maintain a register to endorse the complaint received by it and keep the contents strictly confidential, if it is so desired, except to use the same for discreet investigation.
- The Committee shall hold a meeting with the Complainant within ten working days of the receipt of the complaint, but no later than fifteen working days in any case. In exceptional cases, emergency meeting may be convened by the Chairperson as per the requirement.

- At the first meeting, the Committee shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written, etc. to substantiate the complaint. If the Complainant does not wish to depose in person due to embarrassment of narration of events, a lady officer for lady employee(s) and a male officer for male employee(s) desirous of lodging such complaint shall meet and record the statement.
- Thereafter, the Committee shall summon the person against whom the Complaint is made for the purposes of a deposition before the Committee and an opportunity shall be given to such person to give an explanation to the allegations, where after, an 'Inquiry' shall be conducted and concluded.
- In case of the complaint being found and determined to be of malafide intent or blatantly false or that the incident was publicized without going through the recommended process, such behavior will be construed as a misconduct and the Complainant shall, if deemed fit be liable for appropriate disciplinary action including but not limited to termination of services by the Management of the Company.
- If the Committee decides not to conduct an enquiry into a complaint, it shall record the reasons for the same in the minutes of the Committee meeting. The Committee shall make the same available to the Complainant in writing.
- During the pendency of an Inquiry, the Committee may recommend for transfer of the aggrieved employee or the person against whom the complaint is made; or grant leave to the aggrieved employee upto a period not exceeding three months (which shall be in addition to the leave otherwise entitled) or grant such other relief to the individual as may be prescribed by the Company from time to time.

INQUIRY PROCESS

- The Committee shall immediately proceed with the Inquiry and communicate the same to the Complainant and person against whom complaint is made. The venue of the Inquiry shall take into consideration the convenience and security of the complainant.
- The identities of the Complainant and all witnesses shall throughout be protected and kept confidential by the Committee.

- The Committee shall prepare and handover the Statement of Allegation to the person against whom complaint is made and give him/her an opportunity to submit a written explanation if she/he so desires within seven working days of receipt of the same.
- The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- If the Complainant or the person against whom complaint is made desires any witness (es) to be called, they shall communicate in writing to the Committee, the names of witness (es) that they propose to call. The responsibility of communicating with the witnesses lies with the complainant/defendant regarding the date, time and venue of the meeting.
- If the Complainant desires to tender any documents by way of evidence before the Committee, she/he shall supply original copies of such documents. Similarly, if the person against whom the complaint is made desires to tender any documents in evidence before the Committee, he/she shall supply original / true copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be true copies of the original. The Committee shall have the power to summon any official papers or documents pertaining to the complaint under enquiry.
- The Committee shall call upon all witnesses mentioned by both the complainant and the person against whom the complaint has been lodged. The Committee may at its sole discretion, summon necessary and relevant document / witness, if it is of the opinion that it shall be in the interest of justice.
- The Committee shall provide every reasonable opportunity to the Complainant and the defendant for putting forward and defending their respective case. The Committee shall retain the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, slanderous, derogatory or gender insensitive. Any behavior, verbal or otherwise, on the part of the defendant or his nominee, that is designed to intimidate or subject the complainant or her witness to mental and physical trauma, shall entitle the Committee to recommend disciplinary action against the defendant.
- The Complainant and the defendant shall have the right of cross-examination of all witnesses.

- If the Committee believes that the absence of either of the Complainant or the Defendant and or their witnesses to the dispute is on valid grounds, the Committee shall adjourn that particular meeting of the Committee for a period not exceeding fifteen working days. The meeting so adjourned shall be conducted thereafter, even if the person concerned fails to appear for the said adjourned meeting of the Committee without prior intimation/valid grounds.
- The Committee shall have the right to summon, as many times as required, the defendant, the complainant and/or any witnesses for the purpose of supplementary testimony and/or clarifications.
- The Committee shall have the right to terminate the proceedings and to give an 'ex-parte' decision on the complaint, should the defendant fail, without valid ground, to present himself for three consecutive hearings convened by the Committee.
- The Committee shall complete the 'Inquiry' within reasonable period but in no case beyond three months from the date of its commencement and communicate its findings and its recommendations for action to the Competent Authority of the Company. In the event of any delay in submission of the Inquiry Report, the reasons for the same shall be recorded in writing by the Committee. The Report of the Committee shall be treated as an Inquiry Report on the basis of which a delinquent employee shall be awarded appropriate punishment by the Competent Authority of the Company. The Competent authority will act on the report of the Committee in accordance with the Company Rules.
- The Committee shall not permit any evidence or examination based on the aggrieved woman's character, personal life, and conduct, personal and sexual history.
- The Committee shall take note of the respective socio-economic positions of the parties, their hierarchy in the organization of the Company / workplace.
- The Committee shall be governed by such rules and guidelines as may be consistent to prevalent law or regulation, as amended or enacted from time to time.

ACTION

The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.

If the allegation against the respondent has not been proved, the Committee recommends that no action needs to be taken in the matter.

If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:

- a. Take action for sexual harassment as a misconduct.
 - b. To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
 - c. To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.
- Such action will be taken within 60 days of the receipt of report.

AWARENESS

All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.

A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in Company during their initial Induction.

The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.

Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.



FALSE ACCUSATIONS:

The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false Accusation.

If the Internal Complaint Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the Internal Complaint Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. Company recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the

Level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

MODIFICATIONS

This policy will be periodically revised and is subject to modification. Any amendment or waiver of any provision of this Code must be approved in writing by the Company's Board of Directors, or such other committee as may be decided, and promptly disclosed on the Company's website and in applicable regulatory filings pursuant to applicable laws and regulations, together with details about the nature of the amendment or waiver.

CONCLUSION

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior.

Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.
