



**POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF
SEXUAL HARASSMENT AT WORKPLACE**

1. About the policy :

This Policy for Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (the Policy) has been framed and adopted by Sutej Textiles and Industries Limited in lieu of the Government's legislation viz. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, along with the associated Rules (the Act). The Act provides for protection against sexual harassment of women at workplace, for the prevention of sexual harassment, redressal of complaints and for matters connected therewith or incidental thereto.

2. History :

The Supreme Court of India in its judgment in Vishaka and others Vs. State of Rajasthan and others, made it obligatory for every employer and other responsible persons to follow the guidelines laid down by the Court and to evolve a specific policy to combat sexual harassment of women in the workplace. Subsequently, the government legislated this Act and is applicable for all organisations.

3. Policy at Sutej :

Sutej Textiles and Industries Limited (Sutej) is committed to an environment free from sexual harassment. Sutej endeavors to ensure that all individuals experience a safe, secure and conducive work environment free from discrimination and harassment on the basis of sex, gender, sexual orientation, marital status, partnership / cohabitation arrangements, pregnancy, childbirth or related medical condition. It is also committed to extend this to all its guests and individuals who interact with us.

Sutej expressly prohibits its employees and associated third parties, including clients, from indulging in any form of sexual harassment. It further prohibits its employees and associated third parties, including clients, from using any technology or services provided for official use by it, for purposes of sexual harassment. Sexual harassment at workplace is a violation of several fundamental rights guaranteed by the Indian Constitution such as the right to equality and equal protection of the laws (Article 14), the right to life and liberty (Article 21) and the right to practice any trade or profession (Article 19 [1] [g]).

And whereas, the right to protection from sexual harassment and the right to work with dignity for individuals are recognized as Universal Human Rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified by the Government of India.

4. Objective and Scope :

- a) To fulfill the requirement in law enjoining all employers to develop and implement a policy against sexual harassment of any kind at the work place.
- b) To uphold an individual'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 an individual.
- c) To evolve a permanent mechanism for the prevention, prohibition and redressal of sexual harassment at workplace within the jurisdiction of Sutej.
- d) To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of individuals.

5. Applicability :

This Policy extends to all individuals of Sutej, and is incorporated in the service conditions of all employees and comes into effect immediately. It includes but is not limited to:

- i. business locations of the Company;

- ii. any external location visited by Company representatives due to or during the course of their employment with the Company such as business locations of other companies/entities, guest houses, etc.; and
- iii. any mode of transport either provided by the Company or its representative or by an individual themselves being used for undertaking a journey on Company's business.

Without any prejudice to the rights of an individual in relation to the above, the scope includes, any complaint raised specifically by an individual of the Company due to being subjected to any act of sexual harassment by another individual of the Company:

- i. at any location, including but not limited to the private residences of the aggrieved individual;
or
- ii. in any mode of transport.

6. Definitions :

- a) "Aggrieved Individual" means in relation to a workplace, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- b) "Organization/Company/Sutlej" means Sutlej Textiles and Industries Limited having its registered office at Pachpahar Road, Bhawanimandi, Dist. Jhalawar 326502, Rajasthan and other regional offices, branch offices, project locations; etc.
- c) "Individual" means a person employed at a workplace, in this case with Sutlej, 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;
- d) "Internal Complaints Committee" means the Committee constituted by the Organization as per this Policy.
- e) "Respondent" means a person against whom the Aggrieved Individual has made a complaint.
- f) Meaning of Sexual Harassment and Sexually Oriented Behaviour:
'Sexual Harassment', includes any unwelcome sexually determined behaviour, direct or by implication, and includes physical contact and advances, a demand or request for sexual favours, sexually coloured remarks, showing pornography, any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. Sexually Oriented behaviour shall mean and include but not limited to the following:
 - Material that is sexual in nature, sexist, sexually explicit and so on and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or on a computer, i-pad, mobile phone, i-phone, blackberry or on any other machine or on the internet or any other public display system or public place in the work premises.
 - Verbal abuse or comments that put down people because of their sex.
 - Comments about people's (women/men) bodies.
 - Tales of sexual exploits.
 - Graphic descriptions/pornography.
 - Pressure for dates.
 - Sexually explicit gestures.
 - Unwelcome touching and hugging.
 - Sexist and insulting remarks.
 - Sexist jokes and cartoons.
 - Displaying pornography at the workplace.
 - Insisting that workers wear revealing clothing.
 - Inappropriate gifts.

- Discussion of one's partner's sexual life.
- Lewd and threatening letters
- Brushing sexual parts of the body.
- Pressing or rubbing up against an aggrieved person.
- Indecent exposure.
- Subtle or overt pressure for sexual favours.
- Soliciting sexual services.
- Demanding sexual services.
- Sexual or physical contact.
- Intrusive questions about sexual activity.
- Sexual assault.
- Repeated sexual invitations when the person invited has refused/ignored similar invitations.
- Coerced sexual intercourse (e.g., as a condition of employment or academic status).

'Sexual Harassment' would also mean:

- Quid pro quo sexual harassment, which means something in return or an exchange of one thing for another.
 - In the workplace, quid pro quo sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an Individual if he/she does not consent to such sexual advances or favors also amounts to Sexual Harassment. The act of 'asking' may either be verbal or implied and the 'sexual conduct' may be verbal or physical. But, in either case, it must be unwelcome.
 - For eg: direct or implied requests or offers by any associate for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes Sexual Harassment.
- Hostile work environment includes:
 - Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient, or any one or more associates.
 - Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals.
 - It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his / her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically, and emotionally or someone close to or related to the victim.

This is only an indicative list of the possible acts which could be treated as Sexual Harassment and is in no way intended to be construed as an exhaustive list.

The interpretation of 'Sexual Harassment' and the investigation procedure shall be guided in accordance with the local laws / regulations as applicable.

"Sexual Harassment" should not be confused with simple friendly behavior, if these are mutually desired and accepted. The difference between friendly behavior and Sexual Harassment is that Sexual Harassment is an unwelcome act.

7. Prevention of Sexual Harassment :

No Individual shall be subject to Sexual Harassment at any work place.

Should an Individual feel victimized on account of Sexual Harassment, he / she should:

- 1) Tell the Respondent that their behavior is unwelcome and ask him / her to stop.

- 2) Keep a record of incidents (dates, times, locations, possible witness, what happened, your response). It is not mandatory to have a record of events to file a Complaint, but a record can strengthen your case and help you remember the details over time, in case the Complaint is not filed immediately.
- 3) File a Complaint as soon as is possible – the law mandates 90 days after the incident occurred. If after asking the Respondent to stop his / her behavior, the harassment continues, report the abuse to the Internal Complaints Committee formed for this purpose. Thereafter, if the Complaint has not been written and recorded, it should be done so. If the Aggrieved Individual is unable to record the incident themselves, the Committee should facilitate this process.

8. Sutelj's Internal Complaints Committee/Committee (ICC) :

A committee has been constituted for the purpose of:

Promotion of the policy and procedures for the prevention of sexual harassment at workplace, through training of employees, promotional banners and displays and any other medium of communication as the ICC deems fit and for addressing grievances, conducting inquiry (by itself or through an assigned unbiased representative - within or from outside the Organization), and for conciliation and / or disciplinary actions.

Sutelj's ICC comprises of the following members:

- 1) Presiding Officer - The Committee shall be headed by a Presiding Officer who shall be a woman employed at a senior level at the workplace from amongst the employees.
- 2) A representative from a Non-Government Organization which works closely with the Organization or a person familiar with the issues relating to Sexual Harassment at the workplace and may include a Social Worker or a person who is familiar with labour, service, civil or criminal law. The External Member on the Committee will be paid suitable remuneration for holding/attending proceedings of the Committee meetings; it would include reimbursement of any travel costs related to participation in the meetings of the Committee.
- 3) Each manufacturing unit and the corporate office will have its own Committee with participation of not less than two members from amongst employees committed to the cause of women, or who have had experience in social work or have legal knowledge and to an extent possible shall have equal representation of male and female employee.
- 4) The names and contact details of the Committee members will be displayed at a prominent place at the workplace, as also shall be intimated to all employees by displaying them at the relevant places in the plant.
- 5) Normally, all Committee members shall attend and participate in all deliberations under this Policy. However, due to exigencies where all members are not available, then a minimum quorum of 4 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, External Member and at least one lady member and one male member.

The Presiding Officer and every member of the Committee shall hold office for such period not exceeding three years from the date of their nomination.

9. Refusal, Removal, or Disqualification from the ICC :

- A. No person who is an Aggrieved Employee, witness or defendant in a Complaint of sexual harassment may participate in Committee deliberations. Any Committee member charged with Sexual Harassment in a written Complaint must step down as member of the Committee during the duration of the inquiry into that Complaint.

- B. It is forbidden to disclose, publish, or make known the contents of any Complaint and/or inquiry proceedings:
- including making known the details of any Complaint, or the aggrieved Individuals name and personal details;
 - to the media, press, or public.

If any member of the Committee is found to have breached confidentiality, they will be removed from the ICC, and subject to appropriate disciplinary action by the Organization.

- C. If any criminal proceeding or disciplinary action is pending or in force against a Committee member, such member shall be removed from the Committee.

10. Complaint Procedure at Sutelj :

There are four modes through which an aggrieved Individual can seek redemption:

1. Speak to his / her head of the department and approach the Committee.
2. File a complaint via an email addressed to any of the Committee members or on psh@suteljtextiles.com.
3. Post a written and signed complaint in the various complaint boxes kept for the purposes in the Organization. The complaint boxes are to be placed at such locations which are easily assessable to employees and also provide secrecy of use.
4. Approach the Committee member directly for a verbal discussion and act in a manner as per his/her instructions. The names of such Committee members along with their contact numbers are displayed at prominent places in the Organization.

Process of operation and Committee meetings :

- 1) Members of the Committee will open the grievance box once a week. All such grievances will be noted in the Committee's register.
- 2) The Committee will meet routinely every three months to discuss issues of routine nature like the progress on training etc.

However, should a Committee member receive a complaint by any of the four means, it shall be brought to the attention of Presiding Officer who would convene a meeting within one week of the receipt of the complaint. If the complaint is of a very serious nature, requiring immediate attention, the Committee will meet within 24 hours or less.

- 3) Complaints must be brought within 3 months of the incident of Sexual Harassment and within 180 calendar days for ex- employees of Sutelj.

Complaints brought after that time period will not be pursued except extraordinary circumstances. This shall be at the sole discretion of the President of the Committee.

- 4) Every attempt will be made to get the Complainant to provide the complaint in writing. The complaint shall include the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complaint shall be signed by the Complainant. Complaints made anonymously or by a third party must also be investigated to the extent possible.
- 5) Where the Aggrieved Individual is unable to make a complaint on account of her/his physical or mental incapacity or death or otherwise, her/his legal heir or such other person as may be prescribed may make a complaint within 3 months of the incident.
- 6) If the complaint does not rise to the level of Sexual Harassment, the Committee may determine to dismiss the complaint without further investigation after consultation with the Compliance Officer or such other person having knowledge of the law on the subject.

11. Dealing with the Complaint :

- A. It is not an obligation of any Individual initially to report any Sexual Harassment experienced by them at workplace personally and in writing. Once the matter is brought to the notice of the Committee member and to the President, then, a formal written statement should be asked for by the Committee. A concerned co-worker may also inform the Committee of any instance or behavior of Sexual Harassment by a co-worker towards another employee.
- B. The Aggrieved Individual will report the incidence within a period of three months of the incidence. Post this, acceptance of the incidence for taking up in the Committee agenda shall be at the discretion of the Committee members.
- C. Once the Complaint is received, it will be kept strictly confidential by the Committee.
- D. The Chairperson should convene a meeting after receiving such a Complaint at the earliest, subject to the availability of other Committee members.
- E. The Respondent(s) will be duly informed in writing that a Complaint has been filed against him / her. They will be provided with a copy of the same and will be granted the opportunity of submitting their reply/explanation in writing within 72 hours of the receipt of the Complaint by them.
- F. The Committee will ensure that a just investigation is undertaken at the earliest, strictly adhering to principles of natural justice and fair play.
- G. Both the Complainant and the Respondent will submit their respective says/versions, as also their witness and evidence in support of their claims and contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist the ICC in investigating the matter satisfactorily.
- H. The Complainant and the Respondent shall be informed of the outcome of the investigation only on completion of the proceedings. The Investigation shall be normally completed within 15 days of the receipt of the Complaint. If the Investigation reveals that the Complainant has been sexually harassed as claimed, the accused will be disciplined accordingly. Hence, punishment will be commensurate to the misconduct committed.
- I. The inquiry report will be issued within 10 days from the date of completion of the inquiry.
- J. Appeal against the decision of the ICC is allowed within 15 days of the date of the recommendations.
- K. The Aggrieved Individual has the option to seek transfer of the Respondent or her own transfer, which will be submitted in writing to the Committee.

12. Enquiry to be Completed within 15 days

The Investigation will, as far as possible, be completed within 15 days of the receipt of the Complaint. If the investigation reveals that the Complainant has been sexually harassed as alleged, the Respondent will be disciplined accordingly. Any delay in completion will be recorded for reasons given in writing.

13. Disciplinary Action

Where any Sexual Harassment is established before the Committee, appropriate disciplinary action shall be taken against the Respondent as defined in the standing orders. It may include transfer, withholding promotion, suspension or even dismissal, based entirely on the gravity of the said misconduct. This action shall be in addition to any legal recourse sought by the Complainant. The employer is required to act on the recommendation of the Committee within 30 days of receipt of the inquiry report.

If required Sutlej can arrange for counseling and medical treatment of the Aggrieved Individual. However, the Respondent will have to bear 50% of the cost of medical treatment /counseling.

14. Confidentiality

Given the sensitive nature of cases involving Sexual Harassment and their impact on the victim as well as the person against whom such allegations are leveled, Sutlej is committed to maintaining strict confidentiality in relation to such Complaints and the resultant enquiry.

All proceedings, including the statements and other materials cited as evidence before the Committee shall be strictly confidential. Committee members and employees involved in the proceedings shall not divulge the details to any other employee within Sutlej or to any person outside Sutlej.

This includes minutes of the meeting of the Committee, findings, recommendations and decisions. Disciplinary action will be taken in case of violation of same.

15. Protection against Retaliation

Regardless of the outcome of the Complaint made in good faith, the Aggrieved Individual lodging the Complaint and any person providing information or any witness will be protected from any form of retaliation. While dealing with Complaints of Sexual Harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the Respondent. The Complainant must report any unwarranted pressures, retaliatory or any other type of unethical behavior from the Respondent during the progress of the investigation to the Committee as soon as possible. The Committee will take disciplinary action against any such complaints that are found genuine.

16. Documentation

The Committee shall keep complete and accurate documentation of the Complaint, its investigation and the resolution thereof. The incident would be documented in both the Complainant's and the Respondent's files with the full report of the Committee.

17. Dissemination of the Policy

A copy of this Policy shall be given to all employees and to all new recruits as a part of the employee hand out. They shall sign a statement acknowledging that they have received, read, understood and shall abide by the Policy.

18. Complaints made with a Malicious Intent

This Policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of Sexual Harassment. However, if on investigation it is revealed that the Complaint was made with a dishonest or malicious intent and with the motive of maligning the Respondent/tarnishing his/her image in the Organization and to settle personal/professional scores, strict action will be taken against the Complainant. The employees who are victims of Sexual Harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

Note: *The policy is in line with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder as in force from 9.12.2013. It has further been extended to cover all employees rather than limiting them to Women employees only.*

Receipt and Acknowledgement for Policy on Anti-Sexual Harassment

This is to acknowledge that I have received a copy of the Policy for Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (Policy). This Policy sets forth the policies and the modalities for administering those pertaining to Sexual Harassment. I understand and agree that it is my responsibility to read and familiarize myself with all of the provisions of the Policy.

I understand that under the provisions of this Policy, the Organization reserves the right to amend, modify, rescind, delete, supplement or add to the provisions of this Policy as it deems appropriate from time to time in its sole and absolute discretion. The Organization will provide notification of any changes as they occur.

I am committed to abide by the Policy and to act in a professional manner that will respect the dignity of my colleagues, seniors, subordinates and visitors.

Date:

Place:

Signed: Name of the Employee