



**POLICY ON PREVENTION OF SEXUAL HARASSMENT
(POSH) OF WOMEN AT WORKPLACE**

OF

(SARLA PERFORMANCE FIBERS LIMITED)

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1. INTRODUCTION:

This policy has been framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules framed thereunder (hereinafter “the Act”). Accordingly, while the Policy covers all key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

The ‘Policy on Prevention of Sexual Harassment on Women at Workplace’ (“POSH Policy”) of Sarla Performance Fibers Limited (“Company”) intends to provide a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Policy intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2. DEFINITIONS:

- (i) **Sexual Harassment** may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a Company employee and someone that employee deals within 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):

- a) 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:
- i. Physical contact and advances;
 - ii. Demand or request for sexual favours;
 - iii. Sexually coloured remarks or remarks of a sexual nature about a person’s clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, etc;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person’s wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

- b) 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.

- (ii) **“Aggrieved Woman”** means a woman, 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 and includes contractual, temporary, visitors.
- (iii) **“Respondent”** means a person against whom a complaint of sexual harassment has been made by the aggrieved woman.
- (iv) **“Employee”** means 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
- (v) **“Workplace”** means any place, in addition to the place of work [Head office / Branch offices], where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with the Company, including transportation provided for undertaking such a journey.
- (vi) **“Employer”** means a person responsible for management, supervision and control of the workplace.

3. ROLES & RESPONSIBILITIES:

- i. **Responsibilities of Individual:** 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.

- ii. **Responsibilities of Employer:** The employer 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 any way.

4. REDRESSAL MECHANISM – FORMAL INTERVENTION:

In compliance with the Act, if the complainant's warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy.

In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

5. INTERNAL COMPLAINTS COMMITTEE (ICC):

As per the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Act) and in pursuance of policy on prevention of Sexual Harassment at the Workplace (POSH Policy) of the Company, the Company has constituted the Internal Complaint Committee ("ICC") for addressing complaints relating to Sexual Harassment.

The Internal Complaint Committee & Posh Policy have been formulated for all locations/divisions as mentioned under Annexure A.

While the ICC at corporate level will handle all complaints received in Mumbai operations, representatives from following locations are co-opted into the ICC to cover the various locations of Sarla Performance:

The ICC at Mumbai shall consists of the following members :

1. Chairperson/Presiding Officer
2. Chief Ethics Counsellor
3. Chief Human Resources Officer
4. 3 to 4 members- women working at senior level
5. External Member & NGO Representative

The Internal Complaints Committee is responsible for:

- i. Receiving complaints of sexual harassment at the workplace;
- ii. Initiating and conducting inquiry as per the established procedure;
- iii. Submitting findings and recommendations of inquiries;
- iv. Coordinating with the employer in implementing appropriate action;
- v. Maintaining strict confidentiality throughout the process as per established guidelines;
- vi. Submitting annual reports in the prescribed format.

1. COMPLAINTS AND REDRESSAL PROCESS:

(a). Complaint Process:

- i) Any aggrieved woman making a complaint of Sexual Harassment at the Workplace (Aggrieved) shall make such complaint in writing to the ICC.
- ii) The complaint must be made within 3 (Three) months from the date of the incident or in case a series of incidents within a period of 3 (Three) months from the date of the last incident. In case the Aggrieved is unable to file the complaint within the requisite time period the ICC may at its discretion condone such delay.
- iii) In circumstances where a complaint received is to the judgement of the ICC such that can be resolved through conciliation between the Aggrieved and the person accused of committing an act(s) of sexual harassment (Respondent), the ICC shall promote conciliation between the Complainant and the Respondent. In no event will monetary settlement be made as a basis of conciliation.
- iv) In cases where any settlement has been arrived at between the Aggrieved and the Respondent, the ICC shall record the settlement and forward to the Employer or the District Officer to take action as specified in the recommendation. Once the settlement is arrived at no further inquiry shall be conducted by the ICC.
- v) A copy of the settlement as recorded shall be provided to the Aggrieved and the Respondent.
- vi) In circumstance where to the judgment of the ICC the complaint cannot be resolved by way of conciliation, such complaint or report of sexual harassment will be investigated immediately, and appropriate action will be taken against the Respondent. The remedial action undertaken by the ICC will depend upon the nature and gravity of the offence.

- vii) The Company is committed to provide a supportive and compassionate environment to resolve concerns of Sexual Harassment. Any such issues/ complaints can be resolved under the process given herein under.

Redressal Process:

(b) Informal Resolution:

- i) When an incident of Sexual Harassment occurs, the aggrieved needs to communicate their disapproval or objections immediately to the Respondent and request the Respondent to refrain from such activities and behave decently. If the harassment does not stop or if the Aggrieved is not comfortable addressing the Respondent directly, the Aggrieved can bring their concern(s) to the attention of the supervisor, the human resource team, or the ICC for redressal of their grievances. The ICC will thereafter provide advice or extend support to solve the matter informally.

(c) Formal Resolution:

- i) If the harassment does not stop even after communication of the disapproval or objection to the Respondent by or on behalf of the Aggrieved, then the Aggrieved or a person on Aggrieved behalf, with prior consent of Aggrieved, may make a formal complaint in writing or through e-mail of the alleged incident to any member of the ICC, within 90 (Ninety) days of occurrence of the incident.
- ii) After receiving the complaint, ICC will initiate the process to resolve the complaint. The purpose of the ICC is to resolve/redress the complaint. Hence, at the first stage, the ICC will make efforts to resolve the issue through the process of conciliation provided that the Aggrieved agrees for the same.
- iii) If the Aggrieved agrees for resolving the complaint through the process of conciliation, the ICC will take steps towards mutually solving the matter between the Aggrieved and the Respondent. However, the time period for such conciliation shall not be more than 30 (Thirty) days after initiation of the process, unless both Aggrieved and Respondent seeks, in writing, more time for conciliation.
- iv) In the event the Aggrieved informs the ICC that the terms of the settlement are not being complied with or, if the Respondent continues with the wrongful behavior after the settlement has been arrived at, the ICC shall proceed to impose such disciplinary action as it deems fit or make an inquiry or forward the complaint to the police.
- v) If the Aggrieved is not willing to resolve the dispute through the process of conciliation or has exhausted such options but failed to reach a settlement, the ICC shall initiate the inquiry into the complaint and intimate the date, time, and place of proceedings of inquiry to all relevant persons.

(d) Inquiry:

- i) At the commencement of the inquiry, the ICC members shall explain to the Aggrieved and the Respondent about the procedure which will be followed in the inquiry proceedings. The said inquiry proceedings will be conducted in consonance with the principles of natural justice.
- ii) After hearing the Aggrieved, the ICC shall draw up a formal document containing the definite allegations charged against the Respondent which shall include:
 - a. copy of the complaint;
 - b. Statement of all relevant facts; and
 - c. Supporting documents/list of witnesses.
- iii) The ICC shall hand over the formal document to the Respondent within 7 (Seven) working days of hearing the Aggrieved and give the Respondent an opportunity to submit a written explanation, if it is so desired, within 10 (Ten) days of receipt of the same.
- iv) In the event the Aggrieved and/or Respondent fail(s) to present themselves before the ICC without any sufficient cause and/ or any prior intimation for three consecutive hearings, the ICC shall, if it deems fit, terminate inquiry proceedings or issue an ex-parte decision on the complaint.
- v) After the completion of the inquiry proceeding in the matter, the ICC will send an inquiry report to the human resources department and or the management of the Company within a period of 10 (Ten) days from the date of completion of the proceedings. The report shall have recommendations on the action to be taken by the human resources department and or the management of the Company.
- vi) In case the ICC finds that the degree of offence is covered under the provisions of the Indian Penal Code, 1860 (IPC), then this fact shall be mentioned in its report and appropriate action shall be initiated by the human resources department and or the management of the Company which shall also include the making of a police complaint.
- vii) During the course of the inquiry proceedings, the ICC may recommend to the human resources department and or the management of the Company, on its own and/ or at the written request of the Aggrieved, any measures/ action to be taken in the said situation.

(e). GRIEVANCES ARISING DUE TO ACTS OF THIRD PARTIES:

- i) In case of Sexual Harassment of an Employee of the Company during their employment where such harassment occurs as a result of an act or omission by any third party or outsider over whom the Company has no control (or on whom this POSH Policy does not apply), the Company, will take all steps necessary to assist the Aggrieved in terms of support and preventive action.

(f). FALSE ALLEGATIONS:

- i) If the ICC finds that the Aggrieved has made a false allegation of Sexual Harassment, it will be considered a grave violation of this POSH Policy. If any Employee of the Company knowingly or with reckless disregard for the truth makes false accusations of Sexual Harassment and is found guilty by the ICC of furnishing a false complaint then that Employee will face disciplinary action.
- ii) If the ICC finds that the witnesses supported the Aggrieved even after knowing that the complaint is false or if the Aggrieved and/or witnesses produced forged or misleading document(s), then the ICC will recommend suitable action to the human resources department and or the management of the Company and thereafter, the Aggrieved and/or witnesses will be liable for appropriate disciplinary action by the management of the Company. However, mere inability of the Aggrieved to prove the complaint against the Respondent will not mean that the complaint is false.

2. REMEDIES AND PENALTIES:

1. Any Employee of the Company who is found to have violated this POSH Policy (by either sexually harassing another Employee of the Company or by falsely accusing another person of Sexual Harassment) shall be subject to appropriate disciplinary action as deemed fit by the ICC. It could be either one or a combination of the actions given below:
 - a. Written apology;
 - b. Transfer to another workplace;
 - c. Suspension from employment without pay;
 - d. Warning and taking a written bond of good conduct;
 - e. Reprimand or censure;
 - f. Withholding of promotion till such period as mentioned;
 - g. Withholding of pay rise or increments of pay till such period mentioned;
 - h. Termination from service;
 - i. Undergoing counselling session;
 - j. Performing Community service;
 - k. Compelling the Respondent to pay a reasonable amount of compensation to the Aggrieved;

- l. Deduction of sum from salary or wages of the Respondent as it may be considered appropriate by the management of the Company to be paid to the Aggrieved. In case deduction from salary / wages is not possible due to absence or cessation from employment, the Respondent can be directed to pay the amount to the Aggrieved; and
 - m. Where the perpetrator is an outsider, the Company, in addition to assisting the Aggrieved to initiate action under the IPC or any other law for the time being in force, will also pass and implement necessary orders restricting the perpetrator's entry into the premises and forewarn them of criminal/legal action in case any trauma or threat of any kind is caused to the Aggrieved.
2. The compensation payable by the Respondent to the Victim will be determined based on the following factors:
 - a. Mental, trauma, pain, suffering and emotional distress;
 - b. Medical expenses;
 - c. Loss in career opportunity due to the incident of Sexual Harassment;
 - d. Income and financial status of the Respondent; and
 - e. Feasibility of payment.

3. CONFIDENTIALITY:

1. The Company understands that it is difficult for the Aggrieved to come forward with a complaint of Sexual Harassment and recognizes the interest of the Aggrieved in preserving the confidentiality of the matter.
2. Confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Publication, communication or giving information to public and media of contents of the complaint, identity and addresses of the Aggrieved, Respondent and witnesses, information related to conciliation or enquiry proceedings, recommendations by the ICC, and action taken by the Employer is treated as confidential and thereof as a consequence prohibited
3. However, in order to disseminate information regarding the justice done to the Aggrieved, the Company under this POSH Policy can publish data without disclosing name, address, identity, or any other particulars leading to identification of the persons involved.
4. The Company, apart from other disciplinary actions shall also recover a sum of INR 5,0000/- (Rupees Fifty Thousand Only) as penalty and/or the actual losses and damages occurred, whichever is higher, from any Employee of the Company who violates the confidentiality obligation under this policy.

4. OBLIGATIONS OF THE EMPLOYER AND THE ICC:

(a) Employer:

- i) The Employer shall ensure that this POSH Policy be made available to all the Employees of the Company and to all new recruits and they shall sign a statement acknowledging that they have received, read, understood and will abide by this POSH Policy.
- ii) Provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the workplace.
- iii) Display at any conspicuous place in the Workplace, the penal consequences of Sexual Harassments and the order constituting the ICC.
- iv) Organize workshops and awareness programmes at regular intervals for sensitizing the Employees with the provisions of the Act and orientation programmes for the members of the ICC in the manner as may be prescribed.
- v) Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry.
- vi) Assist in securing the attendance of the Respondent and witnesses before the ICC.
- vii) Make available such information to the ICC, as it may require having regard to the complaint made.
- viii) Provide assistance to the Aggrieved if she so chooses to file a complaint in relation to the Sexual Harassment under the IPC or any other law for the time being in force
- ix) Cause to initiate action, under the IPC or any other law for the time being in force, against the Respondent, or if the Aggrieved so desires, where the Respondent is not an employee, in the Workplace at which the incident of Sexual Harassment took place to treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct.
- x) Monitor the timely submission of reports by the Internal Committee.
- xi) Include in the director/ annual report of the Company the number of cases filed, if any and their disposal under the Act or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.

(b). ICC:

- i) Ensure compliance with the Act and rules made thereunder as amended from time to time and any applicable law.
- ii) Undertake all actions in relation to dealing with the complaint, inquiry, and recommendations are in compliance with the Act and rules made thereunder as amended from time to time and any applicable law.
- iii) Shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.
- iv) Ensure that the reports drafted by the ICC, to the extent possible contain the following:
 - a. number of complaints of sexual harassment received in the year;
 - b. number of complaints disposed off during the year;
 - c. number of cases pending for more than ninety days;
 - d. number of workshops or awareness programme against sexual harassment carried out; and
 - e. Nature of action taken by the employer or District Officer.

5. POLICY REVIEW AND MODIFICATION:

This Policy can be amended / modified / withdrawn at any point of time without any notice, at the discretion of the Board and ICC.

ANNEXURE

HEAD OFFICE

- 1) Internal Compliant Committee at Head Office situated at 304, Arcadia, 195, Nariman Point, Mumbai 400 021

Sr. No.	Name	Designation
1	Ms. Neha Jhunjunwala	Presiding Officer
2	Mr. Kanav Jhunjunwala	Member
3	Mr. Mukesh Deopura	Member
4	Ms. Ami Daru	Member
5	Ms. Radhika Sharma	Member
6	Ms. Mayuri Sapre	Independent Member

OTHER LOCATIONS/ DIVISIONS*

- 2) Internal Complaint Committee at Silvassa Plant

Sr. No.	Name	Designation
1	Ms. Neha Jhunjunwala	Presiding Officer
2	Ms. Ami Daru	Member
3	Mr. Pankaj Pathak	Member
4	Mr. Vivek Holani	Member
5	Ms. Radhika Sharma	Member
6	Ms. Mayuri Sapre	Independent Member

3) Internal Complaint Committee at Dadra Plant

Sr. No.	Name	Designation
1	Ms. Neha Jhunjunwala	Presiding Officer
2	Ms. Ami Daru	Member
3	Mr. Mukesh Deopura	Member
4	Mr. Kanav Jhunjunwala	Member
5	Ms. Radhika Sharma	Member
6	Ms. Mayuri Sapre	Independent Member

4) Internal Complaint Committee at Vapi Plant

Sr. No.	Name	Designation
1	Ms. Neha Jhunjunwala	Presiding Officer
2	Ms. Ami Daru	Member
3	Mr. Mukesh Deopura	Member
4	Mr. Sudarshan Waghmare	Member
5	Ms. Radhika Sharma	Member
6	Ms. Mayuri Sapre	Independent Member

**The respective Plants can re-constitute/amend the internal committee members subject to intimation to the Company Secretary & Compliance Officer of the Company.*
