

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY

This policy will be called THE SUPREME INDUSTRIES LIMITED Policy on zero tolerance to sexual harassment at the work place and shall come into force with immediate effect.

Ministry of Law & Justice has passed the Act of The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 on 22nd April, 2013. Act provides protection against sexual harassment of women at workplace and for the prevention and redressal of complaints and for matters connected therewith or incidental thereto.

SCOPE:

This policy shall apply to all persons employed at the work place for any work of regular, temporary, adhoc or daily wage basis, directly or through an agent/contractor, including persons working on a voluntary basis and also apprentices, trainees, probationers, agent, including consultants of the organisation.

OBJECTIVE:

The organisation firmly believes that every employee has a right to work in an environment free from harassing, intimidating or offensive behaviour and in which issues of harassment will be resolved without fear of reprisal. The policy is designed to take effective measure to prevent, prohibit, sexual harassment and have the mechanism to redress cases of sexual harassment and impose punishment for sexual harassment.

POLICY:

Harassment in any form will not be permitted or tolerated or condoned by the organisation whether it is based on a person's race, colour, ethnic or national origin, gender, real or suspected sexual orientation, religion, or perceived religious affiliation, disability or other personal characteristics.

The Use of company property including e-mail, bulletin Boards, document and vehicle for harassment is prohibited.

PROHIBITION OF SEXUAL HARASSMENT:

No employee shall engage in Sexual harassment.

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 workplace or belongings, or on a computer or fax.
- Machine or on the internet or any other public display systems 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 or verbal abuse having sexual overtones.
- Tales of sexual exploits including remarks or insinuations about a person's sex life or private life.
- Graphic descriptions pornography
- Pressure for dates or unwanted infringement of an individual's personal space, which leads to discomfort.
- Sexually Explicit gestures or suggestive comments about a person's appearance, body or clothing.
- Unwelcome physical contact, touching, hugging, obscene gesture, indecent exposure, staring, leering, whistling etc.

The Supreme Industries Limited

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- Sexiest and insulting graffiti or Sexiest jokes and cartoons.
- Displaying pornography in the workplace.
- Insisting that workers wear revealing clothing
- Inappropriate gifts (for example, Lingerie)
- Discussion of one's partner's sexual inadequacies
- Lewd and threatening letters
- "Accidentally" brushing sexual parts of the body or pressing or rubbing up against an aggrieved person.
- Sexual sneak attacks (such as grabbing private parts on the run)
- Subtle or overt pressure for sexual favours or direct sexual propositioning.
- Soliciting sexual services or demanding sexual services or sexual assault
- Intrusive questions about sexual activity
- 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" should not be confused with simple friendly behaviour or with more intimate exchanges, if these are mutually desired and accepted. The difference between friendly behaviour and sexual harassment is that sexual harassment is neither solicited nor acted by the aggrieved person, it is an unwelcome act.

PREVENTION OF SEXUAL HARASSMENT:

No person shall be subjected to sexual harassment at any work place.

The following circumstances among other circumstances if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment will amount to sexual harassment.

- Recruitment, or promotion, or achieving a privileged position such as a board member, or special committee member; or
- Positive Performance appraisal result, or career advancement, or increased remuneration, or bonus or allowances or any other form of benefit or enhancement such as travel, particularly overseas, or training, or conference attendance or entertainment; or
- Implied or explicit promise of preferential treatment in the persons employment/ promotion; or
- Implied or explicit threat of deterrent treatment in the persons employment/promotion: or
- Implied or explicit threat about the persons present or future employment/promotion status; or
- Interferes with work or creating an intimidating or offensive or hostile work environment for the persons; or
- Humiliating treatment likely to affect the person's health or safety.

RIGHTS AND RESPONSIBILITIES OF EMPLOYEES:

- Every employee shall be entitled to a work environment free from Sexual Harassment.
- Every employee shall be entitled to complain against Sexually Oriented. Behaviour to which he/she was subject to or which was targeted at him/her, to the Internal Complaints Committee or to the chairperson or any other member of the Internal Complaints Committee established under this policy, as the case may be.
- Every employee shall promptly report any incident of Sexual Harassment that comes to his/her knowledge to the Internal Complaints Committee or to the chairperson of the Internal Complaints Committee or to the Official, if designated by the Chairperson of the Internal Complaints Committee as the case may be.
- Sexual harassment does not refer to behaviour or occasional complaints which are acceptable to the recipient. Neither can be mutual attraction between two person be regarded as sexual harassment, as this is a private matter between them.

THE INTERNAL COMPLAINTS COMMITTEE:

- The names and contact details of the Internal Complaints Committee is provided in Annexure

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- The term of office of the Internal Complaints Committee is for a three year from today. On the expiry of three year period, the existing members of the internal Complaints Committee will continue to hold office, till the new Internal Complaints Committee is constituted. If a member of the Internal Complaints Committee who is an employee of the organisation and when she/he ceases to be an employee of the organisation then she/he will also cease to be a member of the Internal Complaints Committee.
- All the units of The Supreme Industries Limited spreading Pan India will have their own Internal Complaints Committee, formulated within its employees.

POWERS AND DUTIES OF THE INTERNAL COMPLAINTS COMMITTEE:

The Internal Complaints Committee will receive the complaints on sexual harassment enquire into the complaints, conduct the enquiry and submit the findings on the complaint.

COMPLAINTS PROCEDURES:

- Any employee will have a right to lodge a complaint concerning sexual harassment against an employee.
- Such a complaint needs to be in writing.
- If the complaint is oral, the same needs to be in writing. The complainant, if desires could be facilitated in writing the complaint by an Internal Complaints Committee member.
- The Complaint will be afforded confidentially on the complaint by the Internal Complaint Committee member.
- Immediately upon receipt of the complaint, the member of the Internal Complaints Committee to whom the Complaint is made shall communicate the same to the Chairperson of the Internal Complaint Committee.
- Within a period of 5 working days from the date of such communication, the Chairperson shall convene a meeting of the Internal Complaints Committee. The Internal Complaints Committee shall examine the complaint and shall undertake investigation of the complaint after giving opportunities to the complainant to present his/her case and the respondent to give his/her version.
- The Internal Complaints Committee may examine witness from both the sides and also give opportunity of cross-examining of the witness. Documents if any produced by the parties may be taken on record. Neither the complainant nor the respondent is allowed to bring in any legal practitioner to represent them in their case at any stage before the Internal Complaints Committee.
- The Internal Complaints Committee on completion of the inquiry will submit its report to the complainant, respondent and the organisation management.

PROTECTION AGAINST VICTIMISATION:

In the event complaint being an employee and the respondent being his/her manager, during the pendency of investigation and even after such investigation if the manager is found to be guilty, the respondent shall not act as manager of the complaint.

CONSEQUENCE OF COMPLAINT BEING PROVED:

In the event allegations made in the complaint are proved against the respondent, it will be taken as proved misconduct and the competent authority may impose any of the punishment as envisaged in the policy on disciplinary process including dismissal.

CONSEQUENCE OF FALSE COMPLAINT:

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In the event allegations made by the complaint are proved to be false then the competent authority may impose any of the punishment as envisaged in the policy process including dismissal.

OBLIGATIONS OF THE MANAGEMENT:

The management of the organisation shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of this internal complaints committee constituted as above and shall implement the decision in expeditious manner.

THIRD PARTY HARASSMENT:

In case of third party sexual harassment the internal complaints committee will actively assist and provide all its resources to the complainant in pursuing the complaint.

SAVINGS:

The proceedings under this policy shall not be stalled or postponed merely because the complaint is proceeding against the respondent under any other provision of civil or criminal law.

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