

SIDH AUTOMOBILES LIMITED

R-13, S/F GREATER KAILASH-I NEW DELHI -110048 CIN: L34102DL1985PLC020156
Email: sidhindia1985@gmail.com; Website: www.sidhgroup.in Tel No.: 011-41053325

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

PREAMBLE

The Parliament of India passed the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act,” in the year 2013.

The guidelines explicitly state the following:

“It shall be the duty of the employer or other responsible persons in workplaces to prevent or deter the acts of sexual harassment and provide the procedures for the resolutions, settlement, or prosecution of acts, of sexual harassment by taking all steps require.”

All Organizations having 10 or more employees are bound by the Supreme Court’s directive and the POSH Act, 2013. Sidh Automobiles Limited (“Company/SAL”) is, also, committed to create and maintain work environment which is free of all forms of gender violence, sexual harassment and discrimination on the basis of sex/gender.

OBJECTIVE

- SAL is committed to create a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. SAL is dedicated to maintaining an environment which is free from coercion and intimidation.
- SAL has adopted certain procedures and guidelines to govern cases against sexual harassment. The procedure has been provided below in SAL’s policy against sexual harassment (“Policy”).
- All allegations of sexual harassment shall be taken seriously by SAL and shall be governed by this Policy.
- This Policy extends to all employees of SAL and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.
- SAL is implementing a Gender-Neutral policy.

DEFINITION

Any behaviour (physical, verbal, written, graphic, electronic, emotional, psychological or through gestures that offend) which has been defined as inappropriate by the Policy, whether intentional or not, which offends the dignity of the person towards whom the behaviour is directed by fellow employee(s), supervisor(s), customer(s) or supplier(s) will be considered as sexual harassment and shall invite serious disciplinary action.

- Sexual harassment would mean and include (whether direct or by implication) but not limited to any of the following:
 - i. unwelcome sexual advances, requests or demands for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any SAL activity;
 - ii. advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes,
 - iii. letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, indecent exposure, physical contact, sounds, display of pictures, intrusive questions about a person’s private life or body, signs, insults or

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- taunts based on sex, obscene communication, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
 - iv. Eve teasing, innuendos and taunts, unwelcome invitations to go out, suggestive comments or jokes, physical confinement against one's will and likely to intrude upon one's privacy;
 - v. act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex, or interfering with their work;
 - vi. humiliating treatment likely to affect the health or safety of a person belonging to the other sex;
 - vii. conduct of such an act at work place or outside in relation to an employee of SAL during the course of employment;
 - viii. any unwelcome gesture by an employee having sexual overtones;
 - ix. physical contact and advances;
 - x. a demand or request for sexual favours;
 - xi. Staring, leering or unwelcome touching;
 - xii. Suggestive comments or jokes;
 - xiii. sexually coloured remarks;
 - xiv. showing pornography;
 - xv. any unwelcome sexual activity tied to employment decision or benefits;
 - xvi. any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
 - xvii. implied or explicit threat of detrimental treatment in their employment arising due to sexual harassment.
- Sexual harassment may occur as a single incident or a series of incidents. The following circumstances, among other circumstances, if they occur or are present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:
 - i. Implied or explicit promise of preferential treatment in employment
 - ii. Implied or explicit threat of detrimental treatment in employment
 - iii. Implied or explicit threat about the present or future employment status
 - iv. Interference with work or creating an intimidating or offensive or hostile work environment
 - v. Humiliating treatment likely to affect the health or safety of the employee
 - Workplace includes:
 - i. All offices, branches or other premises where the Company's business is conducted
 - ii. All company-related activities performed at any othersite away from the Company's premises
 - iii. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations
 - iv. 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.
 - Aggrieved Person in relation to a Workplace, a person, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
 - Respondent means a person against whom a complaint of sexual harassment has been made by the Aggrieved Person under this policy.

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APPLICABILITY

All employees of SAL (including employees on contract, on 3rd (third) party rolls)

- a. All customers, suppliers and contractors of SAL.
- b. All third parties associated with SAL at work or involved in work related activities.
- c. The complainant as well as the respondent may be a man or a woman.
- d. The complainant needn't be of the opposite sex.
- e. The respondent can be anyone, including the complainant's supervisor/an agent/ contractor/ customer/ client/ 3rd (third) party associated with SAL / or any other employee of SAL.
- f. The complainant does not have to be the person harassed but could be anyone affected by the offensive conduct.
- g. It may occur without economic injury to the complainant.
- h. It may occur at the workplace or any other place where the employee is engaged in work related
- i. activities.
- j. It may occur with SAL employees deputed to client sites.

TRAINING AND WORKSHOPS

The training program and workshops conducted shall include, but not be limited to the following layout:

- Understanding the paradigms of the Act and scope of definition of sexual harassment
- Gender sensitization
- Examples and case studies
- Procedural intricacies
- Orientation programs and seminars
- Capacity building and skills building
- Declare names and contact details of all members of IC
- Complaint mechanism
- IC

DUTIES OF THE EMPLOYER

- To provide a safe working environment to all persons at the workplace
- Display at any place in the workplace, penal consequences of sexual harassment;
- Organise workshops and training programs at regular levels;
- Provide necessary facilities to IC for dealing with complaints and conducting inquiries;
- Assist in securing attendance of respondents and witnesses before the IC
- Provide assistance to a woman if she chooses to file a complaint under the Indian Penal Code or any other applicable law;
- Cause to initiate action, under the IPC (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the complainant so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;

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- Monitor timely submission of reports by the IC;
- And any other assistance required by the IC for conducting inquiries into complaints made against sexual harassment.

DUTIES OF THE EMPLOYEE

Abstain from committing acts amounting to sexual harassment whether explicit or implied resulting in unwelcome behaviours or creating hostile environment Report incidents of Sexual Harassment without fear or favour.

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.

Often, some behaviours 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 behaviour.