

Sexual Harassment Prevention Policy (PoSH)

at

Supertron Electronics Pvt. Ltd. & Subsidiaries

We, at **Supertron Electronics Pvt. Ltd.** stand strongly committed to inculcate, create and uphold a work-environment in which our women staff are treated with dignity, civility and respect. We don't and won't tolerate sexual harassment against women in our workplace in any shape or form. We prohibit sexual harassment of any kind and are bound by our policy to take appropriate and immediate action in response to complaints or knowledge of sexual harassment against our women staff.

Sexual harassment against women at workplace has different levels of fault. A person sexually harasses a woman when he indicates, proposes or demands sexual favours of any kind from her against employment or promotion. Invades her personal space, stalks or compels her to get engaged in sexual acts. Sends or displays sexually explicit objects or messages, comments on her looks, dress, sexuality or gender in an insulting or objectifying manner or a manner that makes her uncomfortable, makes lusty comments, jokes or gestures that humiliate or offend her or flirts with her constantly without her approving involvement.

SHWW Act: A guiding document

Sexual harassment against women at a workplace amounts to violation of women's right to equality, life and liberty. It leads to a hostile and unfriendly work-ambience, resulting in awful women-participation at work. Taking cognizance of all of this, our legislature formulated the **Sexual Harassment of Women at Workplace** (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as SHWW Act). The SHWW Act came into force from 9 December, 2013. This statute superseded the Vishaka Guidelines for Prevention Of Sexual Harassment (POSH), introduced by the Supreme Court (SC) of India.

Vishaka Guidelines: A landmark judgement by Supreme Court

In fact, it was during the case of Vishakha v State of Rajasthan that the need for such legislation was recognized first time by the Supreme Court. In the absence of any law at that time providing measures to check the menace of sexual harassment of working women, the Supreme Court, in exercise of power available under Article 32 of the Indian Constitution, crafted guidelines to be followed at all workplaces or institutions, until a legislation is enacted for the purpose. The Supreme Court assimilated elementary principles of human rights, preserved in Constitution of India under Article 14, 15, 19(1)(g) and 21, and provisions of Convention on Elimination of All Forms of Discrimination against Women (CEDAW), which had been endorsed in 1993 by the Government of India. Vishaka guidelines remained as the law under Article 141 of the constitution till 2013, when SHWW Act was enacted to facilitate protection to women against sexual harassment at workplaces and for the prevention and redressed of complaints of sexual harassment and for matters related to that.

Prevention of Sexual Harassment (PoSH) policy for Supertron Electronics Pvt. Ltd. and its Subsidiary companies.

Prevention of Sexual Harassment (PoSH) policy has been formulated in alignment with the provisions of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013'. The purpose of PoSH is deep-rooted in awkward sexual harassment against women in workplaces and also, in protecting them. Every company has to provide a safe, secure and enabling working environment, free from sexual harassment to every woman.

This policy is applicable to all the members of the company, including employers and those who are employed on regular, temporary, contractual or on a daily wage basis, etc. The policy also extends to those who are not employees of the company such as customers, clients, visitors, interns, contract workers, suppliers, vendors, etc. The policy is restricted to the business-locations of a company and any external location visited by the employees during the course of employment whether inside or outside of India. All the employees should have the personal responsibility to ensure that their conduct is not and doesn't seem a breach of the policy.

Scope

The policy intends to ensure that no woman employee is subjected to sexual harassment and it is applicable to all the employees of **Supertron Electronics Pvt. Ltd.** and its association/subsidiaries. We, at **Supertron Electronics Pvt. Ltd.** are committed to adhere to PoSH, in the strictest of manners. The policy stands applicable to all the members of our company in India & abroad, including employers and those who are employed on regular, temporary, on a daily wage basis, etc., as elaborated in clause (f) of the Section 2 of the SHWW Act. The policy also extends to those who are not employees of our company such as customers, clients, visitors, interns, contract workers, suppliers, etc. The policy is restricted to our business-locations and any external location visited by our employees during the course of employment whether inside or outside of India. If sexual harassment occurs against any female employee as a result of an act by a third party or outsider while on official duty, ... will take all necessary and reasonable steps as per the applicable rules and regulations, to initiate action at the workplace of the third party or outsider.

Definition of Sexual Harassment under PoSH

The Act has defined what constitutes sexual harassment under Section 2 (n) and states that any of the following (directly or by implication) shall mean sexual harassment: (1) physical contact and advances; (2) a demand or request for sexual favours; (3) making sexually coloured remarks; (4) showing pornography; (5) any other unwelcome physical, verbal or non-verbal conduct of sexual nature. The Act, under Section 3, has further broadened the definition of sexual harassment by providing that any of the following circumstances, related to sexual harassment, may also amount to sexual harassment: (1) implied or explicit promise of preferential treatment in the victim's employment; (2) implied or explicit threat of

detrimental treatment in the victim's employment; (3) implied or explicit threat about the victim's present or future employment status; (4) interferes with the victim's work or creating an intimidating or offensive or hostile work environment for her and (4) humiliating treatment likely to affect the victim's health or safety.

The definition is very wide, as it provides for direct or implied sexual conduct, which may mean that what is 'implied' sexual behaviour for one person, may not be the same for another person. Hence, the implied behaviour will depend only upon the interpretation of a person. The definition also provides that harassment may be a verbal or non-verbal conduct.

ICC (Internal Complaint Committee) at Supertron Electronics Pvt. Ltd.

In accordance with the policy, as a company with 10 or more employees, we have constituted our own ICC and all the complaints regarding sexual harassment are dealt with the committee. As per the rules, our ICC comprises 4 members, with half of the members necessarily have been women.

4 members of our ICC, out of which..

1. A presiding officer, women working at a senior level in the office.
2. A member who is committed to the cause of women.
3. A member of our company who has legal knowledge and experience in social work.
4. An external member, from an NGO, who has in-depth knowledge and perspective on issues, related to sexual harassment.

Considering the above 4 members concept, following are members of our company ICC

1. Nirmal Kumar Meharia - Director
2. Anushree Chakraborty – Women Participant and Presiding Officer.
3. Juhi Ghosh – Women Participant
4. Balaram Karan – (NGO)

The ICC is responsible for receiving and investigating every complaint of sexual harassment, submitting findings and recommendation of the inquiry to the employer and coordinating with the employer, before implementing any kind of appropriate action. The committee is also responsible to maintain confidentiality throughout the process.

It is the duty of our company as the employer to provide a safe working environment, conduct awareness-programmes, regarding the prevention of sexual harassment and provide necessary assistance and facilities to the committee in dealing with the complaints.

Procedure for dealing with complaints

The complaint, backed up with all the requisite material and relevant details, is needed to be lodged within 3 months from the date of incident along with any documentary evidence or names of witnesses, if available. The ICC can also extend the timeline to another 3 months, if it is satisfied with the reasons, which prevented the lodging of a complaint within the first 3

months. The complaint shall have to be in any form whether through phone or email, but every oral communication should be followed up with the written communication and in a case, wherein a complaint cannot be made in writing, then the presiding officer or any member of the committee shall assist the person for making the complaint in writing.

Any nameless & unsigned complaint received through any of the modes can't be considered by our ICC.

In case if the aggrieved person is unable to lodge the complaint, then any person who is having knowledge of the incident or any family-member/ relative/ friend or co-worker can lodge the complaint on behalf of her, with all the material and relevant details. It is the responsibility of the person who receives the complaint to inform the committee-members (ICC).

Our ICC shall initiate necessary action and inquiries within 7 working days from the date of the receipt of the complaint.

Our ICC shall ensure that once a complaint is received, it will be kept strictly confidential.

As per the policy, our ICC can try and make parties to settle but monetary compensation is not the basis for settlement. If the aggrieved person is not ready to settle, then the ICC will inquire into the complaint and both the parties will get a chance to be heard and complete the inquiry within 90 days. After the inquiry, if the person, who committed such act, is found guilty, then Corrective Action is taken by the appropriate authority, such as HRD/Management.

Corrective Action includes:

- Formal apology
- Transfer of the person to another department
- Suspension or Termination of service of the employee found guilty for such offence
- Counselling
- A written warning to the concerned employee, with a copy of it to be maintained in record

Reliefs to the Victims

- Monetary compensation
- Grant Leave for 1 month
- Transfer of the victim to any other department where she feels safe to work

Penalty or Disciplinary Action

In case the respondent, against whom the charges of sexual harassment were made, is found guilty, a disciplinary action as per the Service Rules at **Supertron Electronics Pvt. Ltd. & its Subsidiaries** will be initiated against him.

Our ICC will make an endeavour to complete the entire cycle of procedure, from inquiry-initiation to completion, within 7 days from the date of the start of the procedure.

Annual Report

As per section 21 of the POSH Act, our ICC is required to prepare an annual report for each calendar year and submit it to our company's Chairman and the area's District Officer.

As per the Rule 14 of the SHWW Act, our ICC should include the following in its annual report -

- *Number of sexual harassment complaints received in the year*
- *Number of complaints disposed of during the year*
- *Number of cases pending for more than 7 days*
- *Number of workshops or awareness-programme against sexual harassment carried out*
- *Nature of actions taken by our Chairman or District officer*

General Terms and Conditions

In case of interpretation of any provisions under the policy, the provisions under relevant law, rules or amendments as the case may be, shall prevail.

The rules contained herein can be changed anytime by our management, in accordance with the law.

All other provisions and rules of the SHWW Act shall apply in letter and spirit, as per the requirement of different situations.

We, at **Supertron Electronics Pvt. Ltd.** (including Subsidiaries) are deep in our commitment to abide by the PoSH Act in its spirit and soul. We've adopted the policy in its entirety to create a healthy working environment, that enables our women employees to work without fear of prejudice, gender-bias and sexual harassment. Till inception of this organisation we are proud to state there is no such offence has been acted and we expect there will be no such offence will occur in future.

----- XXXX-----