

POLICY ON PREVENTION OF SEXUAL HARASSMENT

SILVER CONSUMER ELECTRICALS LIMITED

CIN: U46539GJ2021PLC122633

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CHALLENGE ACCEPTED

INTRODUCTION

Silver Consumer Electricals Limited (the “**Company**”) is one of the leading manufacturers of water pump sets, motors, agriculture equipment’s and other consumer electrical products in India, delivering superior and sustainable value to all our customers, business partners, shareholders, employees, workers and host community.

PURPOSE

The dignity of an individual is one of the core beliefs of the Company. The Company respects the ladies and sexual harassment policy is prepared to protect women from any mishaps. Sexual harassment is a criminal offence and punishable under relevant laws of the country.

The core principle of the Company is to ensure gender equality and justice through all our interventions and practices. In keeping with this principle, it is important to ensure an organisational climate free from discrimination and harassment with a particular focus on sexual harassment. Sexual harassment of women employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be accepted.

To achieve this goal, the conduct that is described as “Sexual Harassment” in this policy will not be tolerated. We have provided a procedure by which inappropriate conduct will be dealt with, if encountered by the women employees.

The Company views allegations of sexual harassment seriously and will respond promptly to complaints of sexual harassment. If it is determined that such inappropriate conduct has occurred, prompt and appropriate action as is necessary, including disciplinary action, will be initiated.

While this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the authority of the Company to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

The Company prohibits all its employees from conducting themselves in a manner which is derogatory to the respect and dignity of women which includes unwelcome sexually determined behaviour (whether directly or by implication).

DEFINITIONS:

“Employee(s)” shall mean a 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 called by any other such name.

“Act” means the Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013

“Bharatiya Nyaya Sanhita (BNS)” means the Bharatiya Nyaya Sanhita (BNS), 2023, as amended.

“Internal Committee” means and include an Internal Complaints Committee (hereinafter referred to as the **“Committee”**)

“Member” means a member of the Internal Committee or the Local Committee, as the case may be.

“Parties” means collectively the complainant and the respondent.

“Policy” or **“this Policy”** means, the Policy on Prevention of Sexual Harassment.

“Presiding Officer” means the presiding officer of the Committee and shall be a woman employed at a senior level at the Workplace amongst the Employees.

“Respondent” means the person against whom the complaint is made.

“Workplace” means establishments, enterprises, institutions, offices, branches, premises, locations or units established, owned, controlled by the Company or places visited by the Employees out of or during the course of employment including accommodation, transportation provided by the employer for undertaking such journey.

BACKGROUND

The Company is committed to ensuring that the work environment at our workplace is conducive to fair, safe and harmonious relations between Employees.

- a. Discrimination and harassment of any type is strictly prohibited;
- b. We have a good record of ensuring this culture as part of our existing human resource management and officer relation practices;
- c. We have also ensured that no officer is disadvantaged by way of gender discrimination;
- d. We would, however like to ensure that there is absolute clarity on the important and sensitive issue of sexual harassment; and
- e. This note therefore annunciates the Company's approach to the issue of sexual harassment and its policy for dealing with any incidence of the same.

SCOPE

This policy is applicable to all Employees at any business location of the Company.

DEFINITIONS OF ISSUE

A broad definition of sexual harassment consists of any physical or verbal and any form of communication that has unnecessary, improper or unwelcome sexual connotations. Sexual harassment may vary in form depending on circumstances. It may consist of, but not limited to, any of the following;

- a. Unwelcome sexual advances, request for sexual favors, and display of sexual visual, sexual audios, pornographic or obscene material and any other verbal or physical conduct of sexual nature;
- b. Transmitting any message by mail, telephone, e-mail, mobiles etc. which is obscene, lewd, suggestive or blatantly sexual in nature;
- c. Any explicit or implicit communications wherein sexual favor or demand, whether by words or actions are made a condition for an individual's employment, career progress, promotion etc. thereby creating a hostile environment;
- d. Sexually charged jokes or remarks and behavior which have sexually oriented innuendo;
- e. Consistent pattern of unnecessary physical contact, staring or targeting unreasonable attention at an individual in day-to-day dealings;
- f. Any pervasive pattern of behavior which makes Employees uncomfortable, insecure or feels humiliated or disadvantaged on the basis of gender differentiation;
- g. Actual sexual assault; and

- h. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature or use of words which hurts a woman's dignity, feelings or humiliating to her in any manner or causing a reasonable apprehension with regard to her position in employment.

Please note: This is an indicative but not an exhaustive list of possible forms of sexual harassment.

COMPANY'S POLICY ON SEXUAL HARASSMENT

- a. The Company's policy is to prohibit all forms of sexual harassment in the way the Employees behave with each other;
- b. This applies equally to relations between superior and subordinates as well as between peers;
- c. Any incident of sexual harassment will be viewed very seriously;
- d. A complaint or report of sexual harassment will be immediately investigated and appropriate action will be taken against the offending Employee/s; and
- e. Such action will depend on the nature and seriousness of the offence and will include strict disciplinary action including termination of services.

CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

In accordance with requirement of the Act and the Companies Act, 2013, Company has constituted the Committee in respect of sexual harassment having following members;

1. Mrs. Vidhi Vinit Bediya	Chairperson
2. Mrs. Renuka Maheshwari	Member
3. Mr. Hitendrabhai Hasmukhbhai Patel	Member

A quorum of three officials is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, at least two officials, one of whom shall be a lady.

The Committee will initiate prompt and time bound action on the complaints received and submit appropriate recommendations to the management as per the guidelines provided in this Policy.

COMPLAINT HANDLING PROCESS

The Company has established the following process to ensure that any incidence of sexual harassment is dealt with appropriately, sensitively and expeditiously:

- a. Any officer/Employee who experiences sexual harassment can get in touch with any Member of the Committee. Alternatively, the affected Employee may approach the Presiding Officer and the Presiding Officer will be expected to inform a member of the Committee immediately. All such complaints shall be in writing with full details of the incident;
- b. On receipt of such a complaint, the Committee will immediately arrange to fully investigate all relevant details of the matter. It will do so with the possible care, sensitivity and discretion in protecting the sensibilities of the effected Employee. The Employee/s, who has allegedly committed the offence, would be given all reasonable opportunity to be heard by the Committee;
- c. The result of this investigation will be formally recorded and communicated to the managing director along with a recommendation for appropriate action;
- d. The Committee will normally complete this process and make its formal recommendation within 21 days after receiving the complaint unless there are exceptional circumstances;
- e. During the investigation period, the alleged should not directly/indirectly contact the complainant to influence her to withdraw the complaint, or destroy/modify the evidences;
- f. During the investigation period, depending upon the sensitivity of the complaint, the alleged can be put under suspension. Suspension period will be considered as no pay periods;
- g. Necessary actions will then be taken with regard to the offending Employee/s based on the circumstances and seriousness of the offence;
- h. Where the Company is legally advised that any such incident constitutes a criminal offence, the company will inform the relevant authority, provide full details and request appropriate action. If the aggrieved Employee directly takes any action against the offending Employee, either civil or criminal, the Committee, on becoming aware of such action by the Presiding Officer, shall be entitled to, suo moto, start the internal enquiry/investigation and recommend appropriate actions;
- i. The Company will ensure that the career interests of the complainant are not adversely affected by virtue of the individual having drawn attention to such an offence;

- j. In order to ensure that this matter is not trivialized, any complaint which in the opinion of the Committee is blatantly false or frivolous or has been motivated to reasons that are clearly unconnected with the gender issue/sexual harassment, would be viewed very seriously by the company and appropriate action taken against such complainants;
- k. If the Committee receives an anonymous reference related to sexual harassment, it will draw the attention of the senior officers concerned with the relevant business or locations. The matter will be fully examined by the concerned senior management and its conclusions and plans for necessary action will be communicated to the Committee.
- l. Heads of department and senior officers of the company will also be expected to be sensitive to any circumstances or behavior among their colleagues which appear to go against the company policy on this matter. In case they become aware of any such incidence, they will immediately inform the head of the Committee and take appropriate action as advised.

Any deviations from this procedure shall require the approval of the managing director.

SEXUAL HARASSMENT:

Any act that may come in the frame of sexual harassment against female Employee inclusive of such unwelcome sexually determined behaviour whether directly or by implication such as physical contact and advance, a demand or request for sexual favors, sexually colored remarks, showing pornography, or any other unwelcomed physical, verbal or nonverbal conduct of sexual in nature.

PROVISIONS AS PROVIDED BY APPROPRIATE AUTHORITY:

The Supreme Court has directed to include a clause relating to prosecution of offenders and provide for an appropriate penalty for such offences in the services rules of organisations.

REDRESSAL PROCESS OF COMPLAINTS OF SEXUAL HARASSMENT

If any women Employee at the Company believes that she has been subjected to sexual harassment, such person shall have the option to file a complaint to the any member of the Committee. This may be done in writing or orally. Even if it is done

verbally initially, it is always preferable to have the complaint in writing within the period of three months from the date of incident.

Provided that where such a complaint cannot be made in writing, Presiding Officer or any member of the Committee, who shall render all reasonable assistance to him/her for making the complaint in writing.

Provided further that the Committee may for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented him/her from filing a complaint within the said period.

The Committee, as the case may be, shall provide the copies of the complaint as recorded to the aggrieved woman and the Respondent. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

The Committee will hold a meeting with the complainant within seven days of the receipt of the complaint, but no later than 10 days in any case.

At the first meeting, the Committee shall hear the complainant and record her/his allegations. The complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady Employees involved and a male officer for male Employees, involved shall meet and record the statement.

Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an enquiry shall be conducted and concluded.

In the event the complaint does not fall under the purview of sexual harassment or the complaint does not mean an offence of sexual harassment, the same would be dropped after recording the reasons thereof.

In case the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action as mentioned in clause 11 of this policy.

Conciliation in complaints of Sexual Harassment

- The Committee may before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation;

- Provided that no monetary settlement shall be made as a basis of conciliation.
- Where such settlement is arrived, shall record the settlement so arrived and forward the same to the HR or the District Officer to take action as specified in the recommendation.
- Where such settlement is arrived, no further inquiry shall be conducted by the Internal Committee or the Local Committee, as the case may be.
- A copy of the settlement as recorded shall be provided to both aggrieved woman and the respondent.

Informal way of dealing with complaints of Sexual Harassment:

- a. An informal approach to resolve a complaint of sexual harassment can be through mediation between the parties involved and by providing advice and counselling on a strictly confidential basis. The procedures though less stringent than formal procedures will be conducted in the full spirit of this policy document.
- b. The case will be taken up for investigation at an informal level by the Chairperson of the committee in a confidential manner. The matter will be reviewed and the alleged offender will be approached with the intention of resolving the matter in a confidential manner.
- c. If the incident or the case reported does constitute sexual harassment of a higher degree the committee will suggest taking it up for disciplinary action or with the agreement of the complainant, the case can be taken as a formal complaint.
- d. Once such complaints are dealt with, the Chairperson of the Committee must inform the Head-HR.
- e. The choice whether to deal with the complaint in the informal way or through the formal mechanism (whether the case constitutes sexual harassment of a higher or lower degree) should depend entirely on the complainant.

All formal complaints of aggrieved have to be referred to the Head-HR by the Chairperson of the Committee.

The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent possible under the circumstances. The Enquiry Committee constituted by the Committee has to conduct an inquiry and submit the report to the committee.

The above is subject to compliance with applicable law.

Process of Inquiry:

The Committee shall immediately proceed with the inquiry and communicate the same to the complainant and the Respondent.

The Respondent will be asked to prepare a response to the statement of allegations and submit to the Committee within ten days of receipt of the same.

The complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

If the complainant or the person against whom complaint is made desires any witness(es) to be called, they shall communicate in writing to the Committee the names of witness(es) whom they propose to call.

If the complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee, he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

The statements and other evidence obtained in the inquiry process will be considered confidential materials.

An officer in the organisation could be designated to provide advice and assistance to each party if requested by either of them. Similarly, the complainant and the Respondent will have the right to avail the assistance of any Employee of the Company.

The Committee will organize verbal hearings with the complainant and the Respondent and call upon all witnesses mentioned by both the Parties.

The Committee will take its decision after carefully reviewing the circumstances, evidence and relevant statements in all fairness.

If the Respondent, being provided fair opportunity to participate in the inquiry and defend him. If he fails to participate in the inquiry, the Committee may conduct the inquiry ex-parte.

The Committee will ensure confidentiality during the inquiry process.

The Committee shall provide every reasonable opportunity to the complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

The chairman of the Committee shall be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims are witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment.

In the event, the chairman of the Committee determines that sexual harassment has occurred, it will make appropriate recommendations as to necessary action to be instituted good remember offensive conduct and common where appropriate, to institute disciplinary action. Complainant's views may be taken into consideration for this purpose.

Given that the Company views any findings of sexual harassment a serious violation of human rights, if it is determined that inappropriate conduct has been committed by staff, appropriate action will follow under the circumstances. Such action may range from counselling to termination from employment, and may include such other forms of disciplinary action that the head- HR Deems appropriate under the circumstances. The chairperson of the committee will be guided by applicable laws for disciplinary action within the Company. The respondent is guilty of serious sexual harassment or has repeatedly (Second time) committed acts of sexual harassment then he must be dismissed. In appropriate cases he may also be required to pay monetary compensation to the complainant.

Possible disciplinary actions arising out of the recommendations:

1. A letter of warning that will be placed in the personal file of the harasser.
2. Immediate transfer or suspension without pay or both.
3. Find equivalent to 2 to 4 months' salary that can be credited to a fund created to be utilised for the welfare of the Employees.
4. Stoppage Of increment with or without cumulative effect.
5. Reduction in rank.
6. Termination/dismissal from the services of the company.
7. Any other action that the disciplinary authority may deem fit.

Interim Relief

During the pendency of an inquiry, on a written request made by the aggrieved woman, the Committee may recommend to the head- HR

- (a) To transfer the aggrieved woman or the respondent to any other workplace;
or

- (b) To grant leave the aggrieved woman up to a period of three months; or
- (c) To grant such other relief to the aggrieved woman as may be prescribed.

The leave granted to the agree woman under this section shall be in addition to the leave she would be otherwise entitled.

On the recommendation of the Committee, the head HR Shall implement the recommendations made and send the report of such implementation to the Committee.

Inquiry report:

The the Internal Committee or the Local Committee, as the case may be shall complete the inquiry within a reasonable period of time but not beyond three months and provide a report of its findings to the head HR, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

Where the Internal Committee or the Local Committee, as the case may be arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the head HR that no action is required to be taken in the matter. Where the Internal Committee or the Local Committee, as the case may be arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the head HR;

- I. To take action for sexual harassment as misconduct in accordance with the provisions of the standing orders/service rules applicable to the respondent.
- II. To deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs.

Provided that in case the Head-HR is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved woman.

Provided, further that in case the respondent fails to pay the sum, the Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

The Head HR shall act upon the recommendation within sixty days of its receipt by him/her.

PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:

Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Head-HR to take action against the woman or the person who has made the complaint accordance with the provisions of the standing orders/service rules applicable to her or him or where no such service rules exist, in such manner as may be prescribed:

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this policy.

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

Where the Committee, as the case may be, arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Head- HR of the witness, to take action accordance with the provisions of the service rules applicable to the said witness or where no such service rules exist, in such manner as may be prescribed.

DETERMINATION OF COMPENSATION:

For the purpose of determining the sums to be paid to the aggrieved woman, the Committee shall have regard to:

- a) The mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- b) The loss in the career opportunity due to the incident of sexual harassment;
- c) Medical expenses incurred by the victim for physical or psychiatric treatment;
- d) The income and financial status of the respondent;
- e) Feasibility of such payment in lump sum or in instalments.

DUTIES OF EMPLOYER:

Head- HR on behalf of Management shall:

1. Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.
2. Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee.
3. Organize workshops and awareness programs at regular intervals for sensitizing the Employees with the provisions of the Act and orientation programs for the members of the Committee in the manner as may be prescribed.
4. Provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry.
5. Assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be.
6. Make available such information to the Internal Committee or the Local Committee, as the case may be, as it may require having regard to the complaint made.
7. Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Bharatiya Nyaya Sanhita, or any other law for the time being in force.
8. Cause to initiate action, under the Bharatiya Nyaya Sanhita, or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator not an Employee, in the workplace at which the incident of sexual harassment took place.
9. Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct.
10. Monitor the timely submission of reports by the Committee.

REVIEW PERIODICITY AND AMENDMENT

This policy may be revised/modified/amended by board of directors at such intervals as it may deem fit.

MISCELLANEOUS

The Committee shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer and the District Officer (as defined in the Act)

CONTACT

For queries related to this Anti-Harassment Policy, please write to us at: cs@silverpumps.com