

Prevention of Sexual Harassment Policy-

June 2024

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1. Introduction:

At SFC Environmental Technologies Limited (the "Company"), we are dedicated to fostering a safe and respectful working environment for all our employees, with particular attention to ensuring that women can work without fear or discomfort. The Company is committed to maintaining a workplace free from sexual harassment, where women are empowered to perform their duties in a secure and supportive atmosphere.

2. Requirement and Scope:

To define, document and disseminate (SFC Environmental Technologies Limited) zero tolerance policy for any sexual and related workplace harassment as defined under **The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013**.

The Company has adopted this policy on anti-sexual harassment to comply with the requirements of the provisions of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules made thereunder. This act is come into force to protect the woman against the sexual harassment at workplace and prevention and redressal of complaints of sexual harassment and matters ancillary and incidental thereto. Consequent to the enactment of the Act and in pursuance of the provisions of Section 4 of the Act, an Internal Committee must be constituted in every Establishment/Workplace. The Company has constituted the following Internal Committee, which shall be effective from 1st day of September, 2024.

3. Definitions:

Sexual Harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. In an effort to promote the well-being of all woman employees at the workplace, this Policy envisages as under:

- (a) It shall be the duty of the Management of the establishment to prevent or deter the commission of any act of sexual harassment at the workplace.
- (b) Sexual Harassment will be considered as misconduct and action will be taken based on the findings of the enquiry in this context.

3.1 Aggrieved Woman:

An Aggrieved Woman means in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

3.2 Company:

Company means SFC Environmental Technologies Limited incorporated under Companies Act, 1956.

3.3 Complainant:

A complainant means any woman who make a complaint alleging Sexual Harassment under this policy.

3.4 Employee:

An employee means a person employed at a workplace for any work on permanent, temporary, *ad hoc*, part-time, contract basis or daily wages basis, either directly or through any contractor including an agent with or without the knowledge of principle employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employed are express or implied included a co-worker, a contract worker, probationer, trainee, apprentice, called by any other such name.

3.5 Employer:

(i) in relation to any department, organisation, undertaking, establishment, enterprise, office, branch or unit as the case may be.

(ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.

Explanation. —For the purposes of this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;

(iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;

3.6 Sexual Harassment:

The definition of sexual harassment will be defined in section 2(n) of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 as represented below;

Sexual Harassment included any one or more of the following unwelcome acts or behaviour (Whether directly or by implication) namely:-

- (i) physical contact and advances;
- (ii) a demand or request for sexual favours;
- (iii) making sexually coloured remarks;
- (iv) showing pornography; or
- (v) any other unwelcomed physical, verbal or non-verbal conduct of sexual nature.

3.7 Respondent:

A Respondent means the person against whom aggrieved woman has made a complaint under section 9.

3.8 Workplace:

Workplace includes;

- (i) offices, Premises, branches, Plants, unites, locations or institutes which is established ownedand controlled by the Company.
- (ii) Any of the places which is visited by the woman employee for the Company’s work or any of the work which has been handed over to her.
- (iii) Transport facilities which are provided by the Company.

4. Complaint Redressal Committee/ Internal Committee:

As per the section 4 of “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Company has constituted Internal Committee for protecting,prevention and redressal of sexual harassment of woman. The constitution of Internal Committee is as below:

Sr. No.	Name	Contact No.	Email Id
1.	Ms. Seema Menon (Presiding Officer)	8451848417	seema.menon@sfcenv.com
2.	Mrs. Shruti Mandar Desai (Member)	9821500969	shruti.desai@sfcenv.com
3.	Mr. Virendra Vijay Rane (Member)	9619898816	virendra.rane@sfcenv.com
4.	Mr. Rasika Shastri (Member)	9930944275	rasika.shastri@sfcenv.com

5.	Ms. Jyotsna Datar (External Member)	9321044003	jyotsna@demeterconsultants.in
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Representatives as mentioned aforesaid would participate in any investigations that are required to be conducted in their respective locations.

5. Procedure of Filing a Complaint

- 5.1 Any aggrieved woman can make a complaint in writing, a complaint of Sexual Harassment to the Internal Committee, **with in a period of one year** from the date of incident and in case of series of incidents, within a period of one year from the date of last incident. **The Internal Committee may extend the time limit** if aggrieved person requested in writing to the Internal Committee and satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.
- 5.2 When aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise then following person can lodge complaint on behalf of her:
- her legal heir
 - her friends/ relatives
 - a special educator, a qualified psychiatrist or psychologist or the guardian/authority under whose care she is receiving treatment or care
 - any other person who has knowledge of the incident, with the consent of an aggrieved woman
 - Where an aggrieved woman *is dead*, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir of the aggrieved woman.
 - any officer of the National or State Woman Commission
- 5.3 An aggrieved woman can lodge complaint in writing as per **Annexure 1** to this policy or any other format as may deem fit. After filing the required details an aggrieved woman can submit the complaint to member of Internal Committee or representative of particular location or can submit electronically by sending e-mail at ic@sfcenv.com, any oral complaint cannot be accepted under this policy. The Complainant shall submit five copies of the complaint along with supporting documents and details of the alleged incident(s), the name of the respondent and names and addresses of the witnesses, if any.
- 5.4 The committee will maintain records of the complaints received and keep the identity of complainant confidential.

6. Procedure to be followed post receipt of the complaint:

- 6.1. The Internal Committee would go through the details of the complaint and evaluate if there is a prima facie case or not. While doing that, Internal Committee will keep in mind that the aggrieved woman is not subjected to enquiry more than once. However, if the complaint complexity requires that the aggrieved woman is to be called for more than once for enquiry, then utmost sensitivity should be displayed and adequate precaution would be taken to ensure that there is no loss of dignity to the aggrieved woman.
- 6.2. Copy of the allegations shall be forwarded to the person against whom complaint is made.
- 6.3. The Internal Committee will initiate a detailed enquiry as deemed fit based on the **Principles of Natural Justice**.
- 6.4. The Internal Committee may, before initiating an enquiry 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, the Internal Committee shall record the settlement and forward to the Employer to take action. However, if the terms arrived during conciliation have not been complied with by the Respondent, the Internal Committee shall proceed to make an enquiry into the complaint or as the case maybe forward the complaint to the police. The copies of the settlement as recorded during the conciliation shall be provided to both parties.
- 6.5. The Internal Committee shall, after completing the enquiry, submit its recommendations to the Management with the recommendations of the penalty to be imposed.
- 6.6. In case of no settlement is arrived, the Internal Committee shall, where the Respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rule exist, in such manner as may be prescribed.

If prima facie case exists and if the complainant wants to refer the matter to the Police Station, in such case/s, Internal Committee will make all necessary arrangement and also assist the complainant to lodge the complaint at the nearest Police Station **within a period of seven days** for registering the case under section 509 of the Indian Penal Code (45 of 1860), and any other relevant provisions of the said code where applicable.

- 6.7. Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Internal Committee.

- 6.8. Notwithstanding anything contained in section 509 of the Indian Penal Code (45 of 1860), the court may, when the respondent is convicted for the offence, order payment of such sums as it may consider appropriate, to the aggrieved woman by the respondent, having regards to the provisions of section 15 pertaining to determination of compensation.
- 6.9. Committee shall complete the inquiry within the period of three months and submit its report and recommendation to the Plant in charge/Director of SFC Environmental Technologies Limited **within ten days** of completion of inquiry. Inquiry report shall also be communicated to both complainant and the person against whom complaint is made.
- 6.10. Plant in charge/Director will take necessary actions as recommended by the Committee or as per the guidelines issued by the Supreme Court of India or as per the provisions of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- 6.11. The HR/ Personnel/ Administrative Department will extend full cooperation in facilitating to conduct the proceedings by Internal Committee.
- 6.12. The employer shall act upon the recommendation **within sixty days** of its receipt by him.

Important:

For the purpose of making an inquiry under sub section (1), the Internal Committee shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:-

- (a) Summoning and enforcing the attendance of any person and examining him on oath,*
- (b) Requiring the discovery and production of documents, and*
- (c) Any matter which may be prescribed.*

*The enquiry will have to be completed by the Committee **within 90 (ninety) days** from the date of receipt of the complaint.*

7. Guidelines for the Internal Committee when recommending action:

- 7.1. Proceedings of the Committee and its reports should not be published, communicated or made known to the press or media in any manner. Any person contravenes the said provisions and publishes the report shall be liable for appropriate action not excluding punishment.
- 7.2. If it is found that the complaint made by the employee is false or any witness give false evidence before the Committee then such false complaints can be dealt with seriously and action can be initiated against the employee making false complaint as per prevailing Rules or any other provisions of the Law. **However, it is also provided that just because the complaint is not proved before the Committee for inadequate proof in such a case it cannot be considered that the complaint is false or malicious.**

- 7.3. Where the **Internal** Committee arrives at the conclusion that the allegation against the respondents been proved, it shall recommend to the employer to take action which may include the following:
- a. Written apology;
 - b. Warning;
 - c. Reprimand or Censure;
 - d. Withholding of Promotion;
 - e. Withholding pay rise or increments; or
 - f. Terminating the respondent from service; or
 - g. Undergoing a counselling session or carrying out community service.

In cases where the Internal has recommended to Management for compensation to be made to the aggrieved woman, then the said amount shall be deducted from the salary of the respondent and paid to the aggrieved woman or her legal heir/s.

In case the committee finds the degree of offence coverable under the Indian Penal Code, then this shall be mentioned in the report and appropriate action shall be initiated by the Management for making a Police complaint **within 7 (seven) days** for taking action as per sec. 509 if IPC. After receipt of such complaint with Police Authority may file a charge sheet against the accused. On conviction the Court will have powers to grant an Order payment of such sum as it may consider appropriate to the aggrieved woman as a compensation.

During the proceeding the Committee can ask employer on request received from the aggrieved woman to transfer the aggrieved woman or the respondent to any other workplace, grant leave to aggrieved woman up to period of 3 (Three) months, grant such other appropriate relief to the aggrieved woman.

Leave granted on the recommendation of the Committee shall be in addition to the regular leaves available to the woman employee. It is the obligation of the employer to implement all the recommendations of the Committee and send reports of such implementation back to the Committee again.

8. Employer to endure compliance:

- 8.1. If there is a complaint against any of the Internal Committee members, Management will have to reconstitute the Internal Committee. In all such cases the guidelines as defined in the above clauses would be inclusive of the time taken to reconstitute the said Committee.
- 8.2. The management will provide assistance to the aggrieved woman if she chooses to file a Police Complaint in relation to the offence under the IPC or any other Law for the time being in force.
- 8.3. The Management will also initiate action under the IPC or any other Law for the time being in force, against a perpetrator, where the perpetrator is not an employee of the establishment and there is complaint of Sexual harassment against the said perpetrator in the workplace where the harassment took place.

- 8.4. The Internal will submit an annual report to the Management outlined in The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and it is the responsibility of the Management to ensure that the said annual report is also filed with the Office of The Labour Commissioner as per the format applicable.
- 8.5. The Management will direct HR/ Personnel/ Administrative Department to ensure to display at conspicuous places the guidelines as given in section 19(b) of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- 8.6. The Management will direct and monitor the HR/ Personnel/ Administrative Department to create awareness amongst employee's material on sexual harassment in the following manner:
- (1) Training cum awareness session for employees (men and women)
 - (2) Training for Internal Committee members
 - (3) Training cum awareness session for Human resource teams and senior management.
- 8.7. The Management will assist in ensuring the attendance of the respondent and witnesses before the Internal Committee as the case may be.
- 8.8. The Management will monitor the timely submission of the reports. For this, the Management will conduct periodic update meetings with the Internal Committee and HR/ Personnel/ Administrative Department to ensure that the said Policy is being implemented in letter and spirit.

9. Appeal by the aggrieved person:

Any person aggrieved from the recommendations made by the Internal enquiring with the allegations against the respondent has not proved, or the Internal arrived at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading documents or contravenes the provisions of section 17 of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or when the person entrusted with the duty to handle or deal with the complaint, the enquiry or recommendations makes known the contents of the complaint and the enquiry proceedings, or non-implementation of such recommendations may prefer an appeal to the Court or tribunal in accordance with the provisions of the service rules applicable to the said persons or where no such service rule exist then, without prejudice to provisions contained in any other Law for the time being in force, the person aggrieved may prefer any appeal. The appeal will lie before the Appellate Authority notified under clause (a) of section 2 of the Industrial Employment Order (Standing Orders) Act, 1946.

10. Reporting:

The Company shall give the details of the number of complaints received by the Internal Committee under

Sexual Harassment Act, 2013 in the Annual Report of the Company.



Prepared by:

Mrs. Seema Menon

HR Head



Approved by:

Mr. Sandeep Sudhakar Asolkar

Chairman and Managing Director

DIN: 00097828

Annexure 1 (Forms for making complaint of sexual harassment) (should be in five copies)

Date _____

To
The members of
The Internal Committee
SFC Environmental Technologies Limited
(formerly known as SFC Environmental Technologies Private Limited)

Name of Complainant:

Work Location:

Department:

Person against whom complaint is made:

Brief description of incident or series or incident(s):

Acknowledgement

We have received complaint of Ms./ Mrs..... against
Mr. under the policy of anti-sexual
harassment of the Company on day of 20....

Signature of Representative or Member of Internal Committee