



S. E. POWER LIMITED
Reg. Off.: Survey No. 54/B, Pratapnagar
Jarod-Savli Road, Samlaya Vadodara-391520
CIN: L40106GJ2010PLC091880

**POLICY ON SEXUAL HARASSMENT FOR
WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND
REDRESSAL)**

POLICY ON SEXUAL HARASSMENT FOR WOMEN AT WORKPLACE

BACKGROUND

It is our endeavour to keep our workplace at S.E. Power Limited ("Company") safe, transparent and friendly for people to work in. Understanding employees and giving them the confidence that their workplace is fair, transparent and safe has been a core philosophy and to that effect we had a Policy on Sexual Harassment for several years. The Government has recently released an act on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Act"). This Act has come into force with effect from 9th Dec'13. In order to ensure compliance and more, we have redrafted the policy on Sexual Harassment as below.

APPLICABILITY OF THIS POLICY

This policy applies to:

- i. all women, who are employed with the Company including but not limited to permanent, contractual or temporary employees ("Employee");
- ii. all women, who visit the Premises of the Company for any purpose, such as customers, visitors etc. ("Aggrieved Woman");

SCOPE OF THIS POLICY

This policy would extend to all the locations of the Company. The possible locations could be:-

- i. any of the business locations of the Company; or
- ii. any external location visited by an Employee due to or during the course of employment with the Company, such as business locations of other organizations/entities, guest houses, hotels etc.; or
- iii. any mode of transport provided by the Company (or a representative of the Company) to an Employee for undertaking a journey to and from the locations mentioned above.

The definitions (i) — (iii) are together referred to as "Premises".

DEFINITIONS

1. **Sexual harassment** may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a S.E. Power Limited employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

"Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- a) Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:

- i. Physical contact and advances;
 - ii. Demand or request for sexual favours;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 - b) The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:
 - Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - Humiliating treatment likely to affect her health or safety.
2. **Aggrieved woman:** 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 and includes contractual, temporary, visitors.
 3. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman
 4. **Employee:** 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 co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.
 5. **Employer:** A person responsible for management, supervision and control of the Workplace.
 6. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with S.E. Power Limited, including transportation provided for undertaking such a journey.

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy.



All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

INTERNAL COMPLAINTS COMMITTEE (Henceforth known as ‘ICC’)

The Company has instituted an ICC for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints. The ICC will be constituted as per the following guidelines at all the locations of the Company:-

Category of the member	No. of members	Remarks
Presiding Officer	1	A senior level woman employee to be appointed as Presiding Officer of the Committee
Employee	2 or more	Employees of the Company committed to the cause of women or having experience in social work or legal knowledge to be nominated as a part of the Committee One of them should be a HR representative or a person nominated by HR for the location
NGO or Associations committed to the cause of women	1	A member from an NGO or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment to be nominated as a part of the Committee

Please note:-

- In case a senior level / woman employee is not available, the Presiding officer can be nominated from other administrative offices of the Company.
- It is mandatory that at least one-half of the total members of the Internal Complaints Committee so appointed be women members.
- No member shall be part of ICC for more than a period of 3 years. The only exception of extension in any member’s tenure would be in case of an ongoing investigation.

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries

- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format
- Discouraging and preventing employment-related sexual harassment.

COMPLAINT MECHANISM

An appropriate complaint mechanism in the form of “**Complaints Committee**” has been created in the Company for time-bound redressal of the complaint made by the victim.

Procedure for ICC

- A) Within 3 working days, the Internal committee shall commence Official Internal Enquiry by:
 - i. By informing the said complaint to the respondent.
 - ii. By instructing to stop the alleged act of Sexual Harassment immediately
 - iii. By informing not to reach out to the complainant directly or indirectly
 - iv. BY asking an immediate explanation from him/her to the same
- B). Within 5 working days from the receipt of original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by SEPL in order to stop the alleged act(s)
- C). Within 15 days from receipt of the original complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counselling sessions with persons involved in alleged act(s)
- D). A complaint will be closed no later than one month from receipt of original complaint by recording the decisions of the internal committee, accordingly informing to the complainant and the Respondent of the same.
- E). Employees are duty bound to assist in investigative steps, employees’ wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.
- F). Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of internal committee, she or he may appeal specifying the reasons in writing to Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of Managing Director shall be final and cannot be appealed.

Redressal:

1. An amicable resolution of the complaint is possible only with the written consent of the complainant.
2. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Managing Director.
3. In case of decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc and the impact of the offence on the company profile as a whole.
4. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.
5. The disciplinary action that shall be commensurate with the nature of the gravity of the offence, shall include but not limited to,
 - ✓ Warning
 - ✓ Written apology from offender,
 - ✓ Bond of good behaviour
 - ✓ Transfer
 - ✓ Debarring from supervisory duties
 - ✓ Denial of employee benefits like increments/promotion/salary correction etc.
 - ✓ Cancellation of specific work Assignment
 - ✓ Suspension
 - ✓ Dismissal

MALICIOUS COMPLAINT

If the ICC comes to a conclusion that the allegation made against the respondent are malicious or have been made even after the knowledge of it being false or has produced forged or misleading documents, it shall report the same to the Management and the Management is bound to take action against the person involved in such malice. Every complaint that is not successful is not malicious.

DETERMINATION OF COMPENSATION

The determination of compensation shall be made on following grounds:

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



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NON DISCLOSURE OR PUBLICATION

Any complaint, the identity of the aggrieved woman, respondents and witnesses, any information relating to conciliation, compensation, settlement, inquiry proceedings, recommendations and actions taken shall not be disclosed or published to public, press and media in any manner.

PROVISION OF APPEAL

In case any party is not satisfied with the recommendations, has the freedom to appeal in the court of law within 90 days of such recommendations.

CONCLUSION

- a) The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the accused under any other provision of law.
- b) The provisions of this policy shall not restrict the powers of the Management or the complainant to proceed against the alleged offender for any other misconduct or other legal remedies.
- c) The policy will be reviewed from time to time and revised to keep it up to date with changes in state acts, employments policies or lessons learnt. The process for review will also consult all staff and seek advice externally.
- d) Annual report of the Company will summarize complaints and Redressal of Sexual harassment. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.