

# PREVENTION OF SEXUAL HARASSMENT POLICY



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## 1. BACKGROUND

We at Techknowgreen Solutions Limited (hereinafter referred to as “TSL” / “Company”/ “We”/ “Our”) are engaged in the Design, Engineering, Manufacture, Supply, Trading, Erection, Commissioning of Water and Wastewater Treatment Plant and providing Environmental Legal Consulting, Environmental Clearances, allied environmental services, and sustainability services.

TSL is committed to abandoning and preventing sexual harassment in all our sectors. We strive to ensure that our business practices, policies, and decisions do not contribute to or cause any Sexual harassment. We support access to remedy for any violations that may occur and are dedicated to treating all individuals with fairness, dignity, and respect, regardless of their background or identity. Our mission is to prevent the sexual harassment of all people which is enshrined in our policies, procedures, and code of conduct.

## 2. APPROACH

The policy is based on the foundation of the fundamentals of the Universal Declaration of Sexual Harassment, inclusive of those in the International laws of Sexual Harassment and the Declaration of Sexual Harassment at work as per the International Labor Organization, the United Nations Guiding Principles on Sexual Harassment, The Protection of Sexual Harassment Act as per the Constitution of India, 2013.

## 3. APPLICABILITY

TSL expects all its personnel, employees, contractors, vendors, suppliers, associates, business partners, and other stakeholders to adhere to the policy outlined in this document. Notably, the Act does not provide a redressal mechanism for addressing and adjudging sexual harassment complaints of genders apart from women in the workplace. However, TSL’s POSH policy is **gender-neutral** and inclusive of men and members of the LGBTQIA+ community.

## 4. DEFINITION

Sexual harassment may occur not only when a person uses sexual behavior to control, influence, or affect the career, salary, or job of another person, but also between co-workers. It may also occur between an employee and someone that the 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 behavior (whether directly or by implication), but not limited to:

- i. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort or humiliate a person to whom the behavior was directed namely:
  - a) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit.
  - b) Physical contact and advances including (but not limited to) touching, stalking, sounds that have explicit and /or implicit sexual connotations/overtones, and molestation.
  - c) Teasing, Voyeurism, innuendos, and taunts with an implicit sexual connotation, physical confinement, and /or touching against one’s will.

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- d) Demand or request for sexual favors.
  - e) Display of pictures, signs, etc. with sexual nature/ connotation/ overtones in the work area and work-related areas.
  - f) Showing pornography, making or posting vulgar/indecent/sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons, or other materials through email, SMS, MMS, etc.
  - g) Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes.
  - h) Giving gifts or leaving objects that are sexually suggestive.
- ii. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:
- a) Implied or explicit promise of preferential treatment in employment;
  - b) Implied or explicit threat of detrimental treatment in employment;
  - c) Implied or explicit threat about the present or future employment status;
  - d) Interference with the person's work or creating an intimidating or offensive or hostile work environment.

## 5. GUIDELINES

TSL is committed to respecting the applicable laws and regulations in all its operations, as well as adhering to the Protection of Women from Sexual Harassment Act, 2013.

## 6. COMPOSITION OF THE INTERNAL COMPLAINT COMMITTEE (ICC)

As per the POSH Act 2013, TSL shall formulate ICC comprising of:

- a) A Presiding Officer ("Presiding Officer") who is a woman Employee at a senior level in the Company.
- b) Not less than **two Members** ("Members") from amongst Employees having legal knowledge/social work background.
- c) **One member** ("External member") from non-government organizations or women or a person familiar with the issues relating to sexual harassment.
- d) At least one-half (**50%**) of the total members nominated shall be women.

The employees who are in association with the Company for a minimum period of 2 years shall be eligible to become members of the Internal Complaints Committee.

## 7. PROCEDURE OF FILING COMPLAINT

Any aggrieved person shall make a complaint of sexual harassment in writing, at the workplace to the ICC, within a period of **three months** from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.

The complainant shall submit a complaint along with supporting documents and the names of the witnesses, if any.

- a) The committee shall hold a meeting with the complainant within **seven days** of receipt of the complaint but no later than ten days in any case.
- b) At the **first meeting**, the committee members shall hear the complainant and record her allegations.
- c) The complainant shall submit any corroborative material with documentary proof, oral or written material, to substantiate her complaint.
- d) The committee shall proceed with the inquiry and communicate the same to the complainant and respondent.
- e) Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.
- f) The respondent shall be called before the Committee for an explanation, where after, an inquiry shall be conducted and concluded. The complainant shall be provided with a copy of the written explanation.

## 8. CONCILIATION

The Internal Complaint Committee before initiating an inquiry shall request the aggrieved woman to take steps to settle the matter between her and the respondent through conciliation and no monetary settlement shall be made as a basis of conciliation.

## 9. ICC INQUIRY PROCEEDINGS

- a) ICC shall initiate the inquiry and finish the inquiry process within **90 days** from the date of receipt of the complaint.
- b) ICC shall follow the principles of natural justice and fairness in all its proceedings and shall maintain the confidentiality of the identity of the complainant, the respondent, and the witnesses involved in the inquiry.
- c) Both parties can produce verbal and documentary evidence in their favor.  
ICC has the right to call upon and examine the witnesses provided by the complainant, the respondent, and any other person as deemed fit to the inquiry.
- d) No legal practitioner shall represent any party at any stage of the inquiry process.

## 10. GUIDELINES WHILE CONDUCTING THE INQUIRY

- a) In conducting the inquiry, it is mandatory for a minimum of **75%** of the Members of the ICC, including the Presiding Officer to be present at each of the hearings.
- b) Both parties have the right to cross-examine each other and the Witness (es) provided by the other party. In situations when the complainant does not wish to participate in a cross-investigation in-person, cross-examination shall be conducted through a questionnaire which shall be provided to the respondent via ICC.
- c) Interim relief for the complainant during the pendency of the inquiry:
  - i. During the pendency of an inquiry, on a written request made by the Complainant, the ICC may recommend the following to the management of the Company:
    - a) Transfer the complainant or the respondent to any other location or office of the Company.
    - b) Grant leave to the Complainant for a period of up to **three (3) months**

- c) Restrain the respondent from reporting on the work performance of the complainant or writing his/her confidential report and assign the same to another officer.

#### **11. SUBMISSION OF REPORT**

After completion of the inquiry, the ICC must deliver a report to the employer and the District Officer within ten days of the completion of the investigation. If the ICC finds that the accusations are false or malicious, it shall suggest that the complainant be punished in terms of the service rules that apply to them.

#### **12. PENALTY**

If the employer does not comply with the law then a fine shall be imposed accordingly. On repeated non-compliance of the law employer shall be penalized with twice the punishment.

#### **13. RELIEF TO VICTIMS**

- a) Monetary compensation
- b) Grant leave for **3 months**
- c) Transfer the victim to any other department/workplace

#### **14. CONFIDENTIALITY**

By virtue of the delicate nature of sexual harassment cases, confidentiality is at the core of any POSH Investigation. The Act makes it clear that any information regarding the proceedings of the investigation, the identity of the parties involved, the details of the nature of sexual harassment committed by the respondent, or information regarding conciliation must not be addressed to the press or media in any manner. The POSH Act limits the liberty to address the press only to information regarding the justice secured to any complainant without revealing her identity.

#### **15. GOVERNANCE AND REVIEW MECHANISM**

TSL shall annually review and amend the policy when required based on latest government regulations/guidelines and TSL's internal guidelines.

**Note:** Revised in the Board Meeting held on 7<sup>th</sup> November 2023