

## **SOLAR ENERGY CORPORATION LIMITED**

### **PREVENTION OF SEXUAL HARASSMENT POLICY**

## INDEX

Serial Number	Topic	Page No.
A.	OBJECTIVE	3
B	SCOPE	3
C.	DEFINITIONS	4
D.	INTERNAL COMPLAINTS COMMITTEE	5-6
E.	COMPLAINT REPORTING MECHANISM	7-8
F.	COMPLAINT REDRESSAL MECHANISM	8-11
G.	RECOMMENDATIONS: PUNISHMENT/COMPENSATION	12
H.	FALSE ACCUSATIONS	12
I.	CONCLUSION	13
	Annexure A List of Members of the Internal Complaints Committee	14
	Annexure - B Contact Details of National Commission for Women and State Commission for Women	15



## **A. OBJECTIVE**

Sexual harassment at work place is an act prohibited under the law. All concerned should take cognizance of the fact that **Solar Energy Corporation of India Limited** (hereinafter ‘**SECI/ Corporation/ Company**’) has zero-tolerance for incidents of sexual harassment, and recognizes that an organization dedicated to progressive vision and change must provide for its employees, a working and social environment free from sexual harassment, exploitation, and intimidation. Accordingly, SECI is committed to create a secure work environment where all its stake holders such as Employees, Agents, Vendors, clients etc. can work and pursue goals in an atmosphere free from any sexual harassment, exploitation and intimidation. Furthermore, SECI has remained ever committed towards treating all employees fairly and in a nondiscriminatory manner with utmost respect free of harassment.

## **B. SCOPE AND APPLICABILITY**

In furtherance of the objectives towards prevention of sexual harassment at workplace, SECI has constituted the present Policy on **Prevention of Sexual Harassment** (hereinafter referred to as ‘**the Policy**’) which is in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013” (hereinafter ‘**The Act**’).

This Policy applies to all categories of employees as defined under Part C, Clause 3-of this Policy, i.e. regular, temporary, trainees, probationers, deputationists, fixed term employees, consultants, advisors, young professionals and any other category of directly or indirectly employed personnel known by any nomenclature at its workplace or at client sites. This Policy shall apply to all the offices, project locations, power plants of SECI located in India or abroad whether the incident occurred within or beyond office hours.

It is incumbent on all employees to follow this Policy and the Guidelines formulated herein. Sexual Harassment at the Workplace shall be deemed to be a violation/breach of terms of employment and may result in disciplinary action besides being a criminal offence in addition to violation of gender equality guaranteed under the constitution.

Needless to mention that SECI has a zero tolerance towards sexual harassment, if engaged in by clients, vendors or any other business associates and such an act shall entail criminal action initiated as per the prevailing laws.

This Policy shall come into force on 02<sup>nd</sup> July, 2025.

### C. DEFINITIONS

1. **Act** means The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013.
2. **Aggrieved woman** shall mean 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. **Company/ Corporation** shall mean Solar Energy Corporation of India Limited (SECI)
4. **Employee** shall mean a person employed at a Workplace for any work on regular, temporary, ad-hoc or daily wage basis, either directly or by 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 called by any other name.
5. **Employer** shall mean the CMD or any other officer as declared in the Service Rules of the Corporation/ Company
6. **HR Policy Manual** shall mean the HR Manual of SECI, as may be revised from time to time.
7. **Internal Complaints Committee of SECI** shall mean the committee established by the Employer to hear complaints of sexual harassment, constituted in accordance with the provisions of the Act.
8. **Respondent** shall mean the person against whom the Aggrieved woman has made a complaint to the ICC.
9. **Sexual Harassment** shall have the same meaning as defined under Section 2(n) of the Act. Sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: —(i) physical contact and advances; or (ii) a demand or request for sexual favours; or (iii) making sexually coloured remarks; or (iv) showing pornography; or (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.  
Further as per Section 3 (2) of the Act, the following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment: — (i) implied or explicit promise of preferential treatment in her employment; or (ii) implied or explicit threat of detrimental treatment in her employment ; or (iii) implied or explicit threat about her present or future employment status; or (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or (v) humiliating treatment likely to affect her health or safety.
10. **Workplace** shall mean and include: (i). All offices or premises where the Company's business is conducted; (ii) Any other location away from the Company's premises where Company related activities are performed by its employees; (iii) Any social, business or other event where the conduct or comments may have an adverse impact on the workplace or workplace relations; (iv) All office premises and areas which can be termed as notional extension of the Company's premises; (v) Interactions arising as a result of employment within the Company

## **D. INTERNAL COMPLAINTS COMMITTEE**

The Employer shall constitute an Internal Complaints Committee (hereinafter 'the ICC') in writing. The seat of the ICC shall be at the Corporate Office, New Delhi

The ICC constituted under this Policy shall serve as the ICC for all the various offices/ administrative units of the Company, located at different places.

In the event a complaint of Sexual Harassment is submitted at a Workplace, other than the Corporate Office, the ICC will hold its proceedings at the office/ administrative unit, or may hold the proceedings at the Corporate Office with the prior consent of the Aggrieved woman.

### **1. Constitution of an Internal Complaints Committee.**

1.1 The ICC shall consist of the following members -

- (i) A woman employee employed at a senior level amongst the employees shall act as the Presiding Officer of the ICC.
- (ii) Not less than 2 (two) members must be from amongst the employees, preferably committed to the cause of women or who have had experience in social work or who have legal knowledge.
- (iii) 1 (one) member should be
  - from a Non-Governmental Organization ("NGO") or from an association committed to the cause of women or is a person who is familiar with the issues relating to sexual harassment. The NGO member must have at least 5 (five) years of the relevant experience.  
OR  
• a person who is familiar with labour/ service/ civil/ criminal law.  
The said member shall be paid a minimum of Rs. 200/- per day for attending the proceedings of the ICC, along with being reimbursed towards travel expenses incurred.

1.2 At least half the total members of the ICC must be women.

1.3 The members of the Company's ICC to consider and redress complaints of Sexual Harassment at the Workplace shall be as listed below in **Annexure - A**, attached herewith.

1.4 A quorum of at least 3 (three) members is required to be present for any proceedings to take place. The quorum shall include the Presiding Officer of the ICC, one member of the ICC and the third-party representative / NGO member.

1.5 **The Presiding Officer and every Member of the Internal Committee shall hold**

*Mukai*

office for such period, not exceeding three years, from the date of their nomination as may be specified by the employee. The member can be re-nominated after a gap of minimum stipulated tenure of 3 year.

- 1.6 A member of ICC may resign anytime by tendering his or her resignation in writing to the Employer.
- 1.7 The Presiding Officer or any other member of the ICC who is an employee shall automatically vacate his or her office upon ceasing to be an employee of the Company or after completion of the stipulated tenure of 3 years.

\*Senior level refers to Senior Manager and above.

## **2. Duties of the ICC.**

It shall be the duty of the ICC constituted under this Policy to –

- (i) To receive complaints of Sexual Harassment at the workplace
  - (ii) To initiate and conduct inquiry within a period of 90 days as per the established procedure as stated in this policy document and applicable under the Act
  - (iii) Promote and facilitate the measures concerned for prevention of Sexual Harassment in the workplace
  - (iv) Maintaining strict confidentiality throughout the process
  - (v) To create policies/awareness that seek to discourage and prevent Sexual Harassment in the workplace
  - (vi) Publicize the policy framework effectively.
  - (vii) Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs for the ICC members in the manner as may be prescribed in the Act.
  - (viii) Regularly meet at the end of every quarter for the purpose of implementation of this Policy; and Monitor the progress done till date.
- (ix) The Internal Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.*

## **3. Powers of the ICC.**

For making an inquiry under the Policy, the ICC shall have the powers of a civil court under the Code of Civil Procedure 1908 in respect of the following matters:

- (i) Gathering evidence;
- (ii) Summoning and enforcing the attendance of any person, and examining him/her on oath/ affirmation;
- (iii) Requiring the discovery and production of documents; and
- (iv) Any other matter which may be deemed necessary for the inquiry process.

## **4. Removal or Replacement of Members of the ICC or the Presiding Officers**

The Presiding Officer or member as the case may be, shall be removed from the ICC in the event he/she:

- a. contravenes any provisions of the Policy; or
- b. has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him / her; or
- c. has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him / her; or
- d. has so abused his / her position as to render his / her continuance in office prejudicial to public interest and
- e. Any vacancy created due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by the Employer in accordance with the appropriate guidelines.

#### E. COMPLAINT REPORTING MECHANISM

##### 1. **Reporting of Sexual Harassment Allegations.**

To ensure a thorough investigation and prevent the continuation of offensive behavior, aggrieved woman who feel they have been sexually harassed should report the incident(s) to the Site HR, GM, or ICC immediately, following the procedures detailed below. Delay in reporting can obscure the facts and potentially allow the behavior to continue.

##### 2. **Confidentiality.**

The Company is committed to taking all actions in accordance with this Policy and the law to safeguard the privacy of everyone involved and to ensure fair treatment for both the aggrieved woman and the accused. Details regarding specific complaints and their outcomes shall be kept confidential and shared only with those who have a legitimate need to know.

##### 3. **Assurance against Retaliation**

This Policy aims to foster an environment where all employees feel comfortable expressing their opinions and concerns related to any issue or complaint of sexual harassment in a free, responsible, and orderly manner. Importantly, retaliation against anyone who reports or provides information regarding sexual harassment or potentially harassing behavior is strictly forbidden. Any act of reprisal by an employee, including interference, coercion, or restraint within the company, is a violation of this Policy and will lead to appropriate disciplinary measures.

##### 4. **Complaints.**

Before formally submitting a complaint to the ICC, the aggrieved who feels they have experienced unwelcome sexual harassment should first ensure that the person responsible for the behavior understands that their actions are disapproved of. Following this, the aggrieved, along with any member of the ICC, should initially attempt to resolve the issue, if feasible, to prevent any recurrence of the sexual harassment.

In the event the Aggrieved woman is not satisfied with the initial effort aimed at resolving the issue, the Aggrieved woman may go ahead and file a complaint of Sexual Harassment against the Respondent.

Nhai

- i. An Aggrieved woman may make a **complaint** of Sexual Harassment to —
  - a. the Site Human Resource personnel of the office/administrative unit **where** the Aggrieved Person is employed; or
  - b. the senior most officer of the office/ administrative unit where the Aggrieved Person is employed; or
  - c. to any member of the ICC, in writing.
- ii. In situations where a complaint of unwelcome sexual harassment cannot be made in writing, it is the responsibility of the concerned Site HR personnel, the senior-most officer of the office, or any member of the ICC to offer all necessary and reasonable assistance to the aggrieved making the complaint, to ensure that the details are recorded in writing.
- iii. The Complaint must be submitted within a period of 3 (three) months from the date of the incident, which may be further extended for a time limit not exceeding 3 (three) months.
- iv. The ICC may extend the time limit for submission of a complaint for a duration not exceeding 3 (three) months, if the reason for such delay is satisfactorily explained by the Aggrieved woman.
- v. Where the Aggrieved woman for any reason is unable to make a complaint, the complaint may be filed by any person who has knowledge of the incident, with their written consent.
- vi. While the identity of the complainant, the respondent, and any witnesses, as well as other details of the complaint, will be kept confidential and not publicly disclosed, information regarding the outcome may be shared with other victims. In such cases, all names, addresses, identifying information, and any other personal details that could potentially reveal the identity of the complainant and/or the witness(es) will be withheld.
- vii. However, the ICC shall not initiate inquiries on the basis of anonymous/pseudonymous complaints.

## F. COMPLAINT REDRESSAL MECHANISM

### 1. Conciliation

- i. At the request of the Aggrieved woman the ICC may, before initiating an inquiry, take steps to settle the matter between him/her and the Respondent through Conciliation<sup>2</sup>.
- ii. Where a settlement is arrived at through Conciliation, the ICC shall record the settlement (i.e reconciliation statement) and forward the same to the Company to implement the reconciliation statement.
- iii. Monetary settlement will not be made as a basis of reconciliation.
- iv. Where a settlement has been arrived at, the reconciliation statement shall be signed by both the

parties and the ICC shall provide both parties with copies of the same.

No further inquiry shall be conducted by the ICC into the matter, and it shall recommend in writing to the Employer that no action is required to be taken in the matter.

## **2. Interim Relief.**

During the pendency of inquiry, on the written request of the Aggrieved woman, the ICC may recommend to the employer to:

- (i) transfer the Aggrieved woman / Respondent to any other Workplace/Department.
- (ii) grant leave to the Aggrieved woman for a period of up to 3 (three) months in addition to his/her entitlement of leave.
- (iii) grant such other relief as may be deemed fit by the ICC.
- (iv) restrain the Respondent from reporting on the work performance of the Aggrieved woman

## **3. Inquiry.**

### **3.1 Allegations**

**3.1.1** Where no Conciliation process has been requested by the Aggrieved woman, or if requested and carried out, has not been successful, the ICC shall proceed to conduct an inquiry into the allegation of Sexual Harassment.

**3.1.2** The Aggrieved woman shall submit 6 (six) copies of his/her complaint along with the witnesses name and addresses.

---

**'Conciliation** is the settlement of disputes out of court. It is a process by which discussions between the parties are kept going through the participation of a conciliator.

**3.1.3** A copy of the complaint along with all supporting documents relied upon and names and addresses of witnesses (if any) shall be sent by the ICC to the Respondent within 7 (seven) working days of receiving the complaint from the Aggrieved woman .

**3.1.4** The Respondent shall file reply/written statement along with list of supporting documents relied upon along with names and addresses of witnesses within 10 (ten) working days of receiving the copy of the complaint.

**3.1.5** The ICC shall take inquiry into the complaint in accordance with the principles of natural justice giving reasonable opportunity to both the parties while especially providing reasonable opportunity of being heard and defended to, to the Respondent.

**3.2** If an allegation of sexual harassment is made against a Respondent holding a senior position, who is incharge of the workplace, or who is senior to the Presiding Officer of the Internal Complaints Committee (ICC), the aggrieved woman who experienced the alleged harassment may file complaint with the Local Complaints Committee, the National or State Women's Commission, or any other committee established by the Government for such purposes. Contact information for the National and State Commissions for Women is provided in Annexure -B.

**3.3 Hearing,**

- a. The presence of the members of the ICC shall be recorded.
- b. The proceedings of each sitting of the ICC/ inquiry procedure shall be recorded/ videographed
- c. The Aggrieved woman and his/her witness(es) (if any) shall be administered an oath/ affirmation before they make their statements.
- d. The Aggrieved woman and/or witness (es) of the Aggrieved woman shall make his/her statement
- e. ICC may then question the Aggrieved woman and/or his/ her witness (es)
- f. The Respondent may cross examine the Aggrieved woman's and/or witness(es) of Aggrieved woman or decline to do so. In the event the Aggrieved woman objects at the presence of the Respondent, then cross examination by the Respondent may be conducted by way video conferencing.
- g. At the conclusion of the cross examination of the Aggrieved woman's witness(es) the Respondent shall be asked to make his/her statement. The Respondent shall not be administered oath/ affirmation before he/she makes a statement or is subjected to cross examination by the Aggrieved woman, unless he/she voluntarily agrees for such administration of oath/ affirmation.
- h. The ICC shall interview the Respondent impartially. The Committee will provide the respondent with all details regarding the allegation and the complaint along with all supporting documents relied upon by the aggrieved woman and his/her witness (es). The respondent shall be given full opportunity to respond and provide any evidence etc.
- i. The Respondent may be questioned by the ICC to clarify any part of his/her statement.
- j. The Respondent shall not be cross examined unless he/she volunteers to make his/her statement on oath/ affirmation.
- k. The Respondent's witness(es) (if any) may make a statement
- l. The ICC may then cross examine the Respondent's witness(es).
- m. Any document that may have been received by the ICC from the witnesses shall be

- shared with both the parties along with the acknowledged statement of the witnesses
- n. Cross examination can be oral or in writing by use of a questionnaire. If questionnaire is used for cross examination, it shall be recorded in a Q&A (question and answer) format.
  - o. The ICC shall then deliberate on the evidence recorded, to arrive at its findings, in accordance with the principles of natural justice.
  - p. For conducting the inquiry, the quorum of the ICC shall be of 3 members including the presiding officer.
  - q. ICC shall complete the inquiry within 90 days and declare its findings, and copies of the proceedings shall be provided to the Aggrieved woman and the Respondent within 10 days from the date of completion of the inquiry and such report shall be made available both to the aggrieved and the Respondent.
  - r. Dissenting members of the ICC shall in the same report record their dissenting opinion.
  - s. The aggrieved woman and the Respondent shall both have the right to file their representations on the ICC's findings
  - t. The ICC shall consider the representations of the parties (if any), and will forward its recommendation to the Employer in the form of a Report.

#### **3.4 Procedure.**

3.4.1 In the event the Aggrieved woman fails to be present for the proceedings for 3 (three) consecutive hearings, the ICC shall have the right to terminate the proceedings.

3.4.2 In the event the Respondent fails to be present for 3 (three) consecutive hearings, the ICC may issue an ex parte order<sup>3</sup>.

3.4.3 Such termination or ex parte order shall be passed by the ICC after giving a 15 (fifteen) days prior notice to the party concerned.

3.4.4 No legal practitioner shall be allowed to represent the parties in the case.

#### **3.5 Report.**

a. The inquiry conducted by the ICC should be completed within 90 (ninety) days from the date on which the inquiry commenced.

b. A Report on the inquiry and the findings shall be submitted by the ICC to the Employer within 10 (ten) days of completion of the inquiry.

c. The Employer shall implement the recommendations of the Report within 60 (sixty) days of receiving the same.

*Note: The decision of the ICC shall be final and binding on all. However, the same is without prejudice to any recourse that the Company or the aggrieved woman may have against the Respondent and it shall not limit or restrict the rights of the Aggrieved woman and/or the Company to pursue, nor shall they be precluded from pursuing, such further and other legal*

(Neha)

*actions as may be available. Similarly, the above is without prejudice to the rights of the Respondent which he/she may pursue before the appropriate authority at the appropriate stage.*

### ***3.6 Appeal.***

In the event either the Aggrieved woman / Respondent is aggrieved by the decision of the ICC, the party may seek an appeal against the same to the Appellate Authority as per service rules of SECI amended from time to time [last amended on 01.02.2022], within 90 (ninety) days of receiving the ICC's Report.

## **F RECOMMENDATIONS: PUNISHMENT/ COMPENSATION**

1. If the allegation against the Respondent has not been proved, the ICC may recommend not to take any action in the matter.
2. If the ICC arrives at the conclusion that the allegations against the Respondent has been proved, it shall recommend to the Employer to take action (by issuing a show cause notice to the Respondent as to why a Disciplinary Action should not be initiated against him on the basis of the report of the ICC which holds that misconduct by way of sexual harassment is held to be proved) against the Respondent in accordance with the provisions of the Service Rules of the Corporation.
3. In the event the ICC directs the Respondent to pay compensation to the Aggrieved woman (calculated in accordance with provisions of the POSH Act), and the Respondent fails to pay the compensation amount, the same shall be recoverable as arrears of land revenue through the concerned District Officer (in accordance with the provisions of the POSH Act)

## **G FALSE ACCUSATIONS**

The Policy shall not be misused to bring malicious or frivolous charges against fellow employees.

If the ICC arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved or any other woman making the complaint has made the complaint knowing it to be false or the Aggrieved has produced any forged or misleading document, or any witness has given false or fabricated evidence it may recommend to the employer to take appropriate action against the Aggrieved or Complainant as the case may be, in accordance with the Service Rules of the Corporation in case the aggrieved or the complainant concerned is a permanent employee of the Corporation.

In any other cases, the ICC may recommend to the employer to take appropriate action against the aggrieved or the complainant as the case may be including obtaining a written apology, warning, reprimand or censure, termination of contract, withholding of pay rise or increments, terminating the Aggrieved from service or undergoing a counseling session, or community

*Mhai.*

service.

In such a case, malicious intent has to be established after an enquiry in accordance with the procedure prescribed, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein.

The above provision is not to discourage employees from coming forward with complaints. SECI recognizes that certain claims may be difficult to prove, or may not in fact be found to raise to the level of seriousness deemed necessary to conclude as Sexual Harassment. Complaints falling under this category, shall not be considered to be false accusations.

---

<sup>3</sup> **Ex-parte order** is an order which is passed in absence of the party against which it is to operate

## H CONCLUSION

The Company reserves the right to alter, amend, or revoke any part of this Policy whenever it deems necessary, provided that such changes comply with the applicable law. Employees of the Company shall be notified of any such alterations, amendments, or rescissions. Furthermore nothing in this Policy shall be interpreted as overriding any existing law or infringing upon any rights granted to employees under any applicable Act, Rules, or Law.

**ANNEXURE - A**

**MEMBERS OF THE INTERNAL COMPLAINTS COMMITTEE**

**1. Name: Ms/ Mrs — (Presiding Officer)**

Address:  
E-Mail ID:  
Designation:  
Contact No: +91 XXXXXX

**2. Name: Ms/ Mrs (Member)**

Address:  
E-Mail ID:  
Designation:  
Contact No: +91 XXX

**3. Name: Mr xxx**

Address:  
Mail ID:  
Designation: President  
Contact No: +91  
XXXXX

**4. Name: Mr xxx (Member)**

Address:  
Mail ID:  
Designation: Senior Executive (Corporate  
HR) Contact No: +91 XXXX

**5. Name: Ms / Mrs**

Address:  
E-Mail ID:  
Designation:  
Contact No: +91 XXXX

**ANNEXURE B**

**Contact Details of National Commission for Women and State Commission for Women**

1. **National Commission for Women** Plot-21, Jasola Institutional Area, New Delhi - 110 025  
Phone: 011-26942369; 011 - 26944740. 011- 26944805  
Website: <http://ncw.nic.in/>  
Email: ncw@nic.in  
Complaint Cell: complaintcell-ncw@nic.in  
Policy Monitoring and Research Cell: sro-ncw@nic.in Legal Cell: lo-ncw@nic.in  
RTI Cell: rticell-nc@nic.in NRI Cell: nriceII-new@nic.in

2. **Delhi State Commission for Women**  
Address :  
Phone:  
E-Mail:  
Chairperson: XXXX  
5/9, Indrani Street, Ayyavu Colony,  
Aminjikarai,  
Delhi - 1100XX  
Phone: +91 XXXX



