

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE



SOLARWORLD ENERGY SOLUTIONS LIMITED

(formerly known as Solarworld Energy Solutions Private Limited)

1. PREAMBLE

Solarworld Energy Solutions Limited (the “Company”) is committed to maintaining a professional work environment where every employee is treated with dignity, respect, and fairness. The Company promotes equality, inclusivity, and equal opportunities for personal and professional growth. As part of this commitment, it adopts a zero-tolerance policy towards sexual harassment and is dedicated to fostering a workplace that is safe, secure, and free from all forms of discrimination, particularly gender-based misconduct.

This policy outlines the Company’s approach to the prevention, prohibition, and redressal of sexual harassment. It provides a clear, confidential, and effective mechanism for addressing complaints in a fair and timely manner. Framed in accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules thereunder, this policy aims to providing every woman at the workplace a safe, secure and dignified work environment.

Policy approved on February 11, 2025.

2. OBJECTIVE

- i. To ensure a safe working environment free from sexual harassment;
- ii. To define sexual harassment and provide mechanisms for prevention and redressal;
- iii. To establish procedures for the resolution, settlement, or prosecution of acts of sexual harassment;
- iv. To create awareness among employees about their rights and responsibilities.

3. DEFINITIONS

- i. **Act** : It means “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and any amendment thereto.
- ii. **Aggrieved person**: means in relation to a workplace, any person, regardless of gender or employment status, who alleges to have been subjected to any act of sexual harassment by the respondent.
- iii. **Sexual Harassment**: Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature. Sexual harassment at the workplace includes:
 - a) unwelcome sexual advances (verbal, written or physical),
 - b) demand or request for sexual favours,
 - c) making sexually coloured remarks,
 - d) showing pornography,
 - e) any other type of sexually-oriented conduct,
 - f) verbal abuse or ‘joking’ that is sex-oriented,
 - g) Any conduct that has the purpose or the effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions.
 - h) Inappropriate conduct could also be a joke, a prank or even a compliment. These gestures also lead to harassment, although the intention of the individual might not be to offend the other person.

Sexual harassment could also be any unfair treatment to an individual based on the individual’s gender, which could be in the form of statements, comments, an isolated event or series of incidents. It can be in the form of gestures, actions or words which causes offence or humiliation creating a

hostile work environment. Sexual Harassment can be defined as, any improper conduct, single incident or patterns of behavior that might be perceived as sexual in nature. This will include sexual advances, sexual favour, verbal or physical conduct or gestures or any other behaviour that is sexual in nature between people of the opposite or same sex i.e. both men or women can be the victims or offenders.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Company recognises that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Abuse of power is when there is an improper use of position, influence, power or authority against another person's career, employment, assignment, contract renewal, performance evaluation or promotion. It might or might not involve threats, blackmail or coercion.

iv. Prevention of Sexual Harassment:

- a) No woman shall be subjected to sexual harassment at any workplace.
- b) The following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:
 - 1. implied or explicit promise of preferential treatment in the employment; or
 - 2. implied or explicit threat of detrimental treatment in the employment; or
 - 3. implied or explicit threat about their present or future employment status;
 - 4. interfering with their work or creating a intimidating or offensive or hostile work environment for them;or
 - 5. humiliating treatment likely to affect the health and safety of the aggrieved person.
 - 6. any other acts or behaviour, any reasonable person views as such.

v. Complainant: Any aggrieved person who makes a complaint alleging sexual harassment under this policy.

vi. Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved person

vii. Employee: means a person employed at a 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 called by any other such name;

viii. Employer: Managing Director of the Company or any other person responsible for management, supervision, and control of the workplace.

ix. Internal Complaints Committee ("Committee" or "ICC"): It means a committee by that name, constituted by the Board of the Company as per the provisions of the Act.

x. Workplace: Any premises, locations, establishments, enterprises, institutions, offices, branches, warehouses or units established, subsidiaries, virtual meeting spaces which are controlled by the Company. Places visited by the Employee arising out of or during employment contract/engagement with the Company, including official events, official

travels, official picnics and official get-togethers, accommodation and transportation provided by the employer for undertaking a journey.

4. INTERNAL COMPLAINTS COMMITTEE

i. Constitution of the internal complaints committee:

The Company has constituted an Internal Complaints Committee (“Committee” or “ICC”) for redressal of sexual harassment complaints (made by the victim) and for ensuring time-bound treatment of such complaints.

Initially, and till further notice, the Committee will comprise the following four members:

NAME & DESIGNATION	POSITION
Ms. Monika Agarwal (Senior Manager, Supply Chain Management)	Presiding Officer
Adv. Keshav Dutta	External Member (NGO member)
Peeyush Salwan (President)	Committee Member
Ms. Punita Gupta (General Manager, Human Resource)	Committee Member

ii. Responsibilities of the ICC:

- Receiving complaints of sexual harassment at workplace;
- Initiating and conducting inquiry as per the established procedure;
- Keep the record of every complaint and settlement and to report it to the employer;
- Submitting findings and recommendations of the inquiry;
- Coordinating with the employer in implementing appropriate action;
- Maintaining strict confidentiality throughout the process as per established guidelines;
- Submitting annual reports in prescribed format;
- provide the requisite copy of the settlement to the parties to the complaint.

iii. Powers of ICC:

For the purpose of conducting an inquiry into a complaint of sexual harassment, the Committee shall be vested with the same powers as those vested in a civil court under the Code of Civil Procedure, 1908. These powers include, but are not limited to:

- summoning and enforcing the attendance of any person and examining him on oath;
- requiring the discovery and production of documents; and
- any other matter which may be prescribed.

iv. Complaint Redressal Mechanism - Filing a Complaint

- In case of any inappropriate misconduct or sexual harassment, a complaint letter should be submitted in writing or e-mailed to the Presiding officer of the Committee with specific details, such as, stating the date of misconduct, location of incident, name of the witness and name of the accused.
- This letter can be submitted by any member on behalf of the witness or by the witness herself or himself.
- As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the complaint must be lodged within 3 months from the date of incident or from the

date of the last incident. However, at Solarworld Energy Solutions Limited , we encourage employees to raise their complaint even after this timeline.

- d) Provided that where such a complaint cannot be made in writing, the Presiding officer, or any member of the Committee shall render all reasonable assistance to the person for filing the complaint in writing.
- e) The Presiding Officer or any Member of the Committee can render reasonable assistance to the person for making a complaint in writing, in case they are unable to do so. If the aggrieved person is unable to file the complaint on account of their incapacity, the following may do so on their behalf –
 1. Legal heir;
 2. co-worker;
 3. guardian;
 4. any person having knowledge of the incident.
- f) The complainant will need to self-attest the written complaint.
- g) Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by –
 1. a relative or friend; or
 2. a special educator' or
 3. a qualified psychiatrist or psychologist; or
 4. the guardian or authority under whose care they are receiving treatment or care; or
 5. any person who has knowledge of the incident jointly with any of the above.
- h) Where the aggrieved person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent.
- i) Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

v. Conciliation-

- a) The Committee or, as the case may be, the Local Committee, may, before initiating an inquiry under section 11 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;
- b) Where settlement has been arrived at under abovementioned point (a), the Committee or the Local Committee, as the case may be, shall record the settlement so arrived and forward the same to the employer or the District Officer to take action as specified in the recommendation;
- c) The Committee or the Local Committee, as the case may be, shall provide the copies of the settlement as recorded under abovementioned point (b) to the aggrieved woman and the respondent;
- d) Where a settlement is arrived at under abovementioned point (b), no further inquiry shall be conducted by the Committee or the Local Committee, as the case may be.

vi. Initiation of a formal inquiry by the committee in the following cases

- a) Conciliation not requested by complainant;
- b) Conciliation has not resulted in any settlement;
- c) Complainant tells the committee that terms of conciliation were not complied with.

vii. Investigating a Complaint

- a) The Presiding Officer of the Committee will review the complaint, clarify if the allegations are related to harassment at workplace and all evidence required for the procedure is submitted.
- b) The Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- c) The Committee is mandated to acknowledge the written complaint and provide a copy of the complaint along with supporting documents to the Respondent within 7 working days of filing the complaint.
- d) The Committee will promptly investigate any allegation made in a free and fair manner and address the complaint within 90 days of receiving the complaint.
- e) This investigation may include private interviews with the complainant, the respondent and witnesses, if any. All notes from the investigation are kept strictly confidential.
- f) The Committee makes inquiry into the complaint in accordance with the principles of natural justice
- g) Resolution through conciliation happens within 2 weeks of receipt of complaint.

viii. Interim Relief

During the inquiry the committee may recommend the employer to:

- a) Transfer the complainant or respondent
- b) Grant leave to the aggrieved person for maximum of 3 months
- c) Prevent respondent from assessing complainant's work performance
- d) Grant other relief as may be deemed appropriate
- e) The complainant can refrain from working on a certain project or location, if she experiences any form of threat from the accused.

ix. Manner of taking action for Sexual Harassment

Where the Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be, to take any action including

- a) Warning;
- b) written apology from offender;
- c) Bond of good behavior;
- d) Reprimand or censure;
- e) Denial of employee benefits like increments/promotion/salary correction etc.;
- f) withholding of promotion;
- g) Transfer;
- h) Terminating the respondent from service;
- i) undergoing a counselling session;
- j) Suspension;

x. Timelines

- a) 6 copies of written complaints along with supporting documents and names and addresses of witnesses have to be filed within 3 months of the date of the incident. Timeline extendable by another 3 months;

- b) Upon receipt of the complaint, 1 copy of the complaint is to be sent to the respondent within 7 days;
- c) Upon receipt of the copy of complaint, the respondent is required to reply to the complaint along with a list of supporting documents, and names and addresses of witnesses within 10 working days.
- d) The Inquiry has to be completed within a total of 90 days from the receipt of the complaint.
- e) The Inquiry report has to be issued within 10 days from the date of completion of inquiry.
- f) The respondent is required to act on the recommendations of the Committee within 60 days of receipt of the Inquiry report.
- g) Appeal against the decision of the committee is allowed within 90 days from the date of recommendations.

5. ROLES AND RESPONSIBILITIES

i. Employer

- a) Ensure a safe working environment free from sexual harassment.
- b) Constitute and support the functioning of the committee.
- c) Implement the recommendations of the committee within the stipulated time.
- d) Organize awareness programs and workshops on POSH.

ii. Employees

- a) Familiarize themselves with this policy and the Act.
- b) Refrain from engaging in any behavior that constitutes sexual harassment.
- c) Report any incidents of sexual harassment promptly to the committee.

6. FALSE OR MALICIOUS COMPLAINTS

If the Committee concludes that a complaint was made with malicious intent, knowing it to be false, or supported by forged or misleading documents, it may recommend appropriate action to the employer or District Officer under Rule 9 of the Sexual Harassment Rules, 2013.

However, inability to substantiate a complaint or lack of proof will not, by itself, be considered malicious unless intent is clearly established.

7. CONFIDENTIALITY

- i. The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.
- ii. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

8. ACCESS TO REPORTS AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

9. PROTECTION TO COMPLAINANT / VICTIM

- i. The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.
- ii. The Company will ensure that the victim or witnesses are not victimized or discriminated while dealing with complaints of sexual harassment.

10. ANNUAL REPORTING

As per Section 22 of the Act, the committee shall prepare an annual report detailing:

- i. number of complaints received in the year ,
- ii. number of complaints disposed off during the year,
- iii. number of cases pending for more than 90 days,
- iv. number of workshops or awareness programs against sexual harassment carried out , and
- v. nature of action taken by the employer or District Officer.

The annual report shall be submitted to the employer and the district officer appointed by the State Government in this regard.

The District Officer shall forward a brief report on the annual reports received under sub-section (1) to the State Government.

11. AMENDMENT

The Board of the Company reserves the right to amend this Policy at any point of time. Amendment to this Policy shall take effect from the date when it is approved by the Board. This Policy shall be subject to review/changes as may be deemed necessary and in accordance with regulatory amendments from time to time.