

TRSECON LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH) AT THE WORKPLACE

Document Control

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May 23,2024	HR Manager	Board of Directors	May 30,2019	To comply in accordance with amendment in laws and regulations

Document Distribution

This document will be distributed to all employees of Trescon Limited

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1 POLICY STATEMENT

As a Company, we are committed to conducting and governing ourselves with ethics, transparency and accountability and to this, we have developed governance structures, practices and procedures that ensure that ethical conduct at all levels is promoted across our value chain. It is thus in acknowledgement of and in consonance with these values, that we are dedicated to ensuring that the work environment at all our locations is conducive to fair, safe and harmonious relations, based on mutual trust and respect, between all the employees of the company. We also strive to guarantee a safe and welcoming environment to all those who visit any of our locations in any capacity, such as customers, vendors etc. Discrimination and harassment of any type is strictly prohibited. We wish to promote and maintain this culture to ensure that employees of the Company do not engage in practices that are abusive in any form whatsoever.

The Company aims to provide a safe working environment and prohibits any form of sexual harassment. Hence any act of sexual harassment or related retaliation against or by any employee is unacceptable. This policy therefore, intends to prohibit such occurrences and also details procedures to follow when an employee believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding sexual harassment.

Making a false complaint of sexual harassment or providing false information regarding a complaint will also be treated as a violation of policy.

All managers are to ensure that they themselves as well their teams, including new joiners, are aware of the Policy on prevention of sexual harassment in place and strictly adhere to it.

Company will promptly investigate all complaints and take appropriate action, up to and including termination of employment.

2 ACRONYMS

Term / Acronym	Explanation
HR	Human Resources
NGO	Non-Governmental Organization
RM	Reporting Manager
POSH ACT	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, and Rules

3 APPLICABILITY

This policy will extend to all employees of Trescon Limited including those employed on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied (hereinafter referred to as “employees”).

The policy also extends to those who are not employees of the company, such as customers, visitors, vendors, suppliers, contract workers, probationers, trainees, apprentices or called by any other such name, but are subjected to sexual harassment at the Premises (defined hereinafter) of Trescon Limited.

4 SCOPE

The scope of the Policy is restricted to the following for all employees:

- i. Business locations of the Company.
- ii. Any external location visited by employees due to or during the course of their employment with the company such as business locations of other entities, guest houses etc.

- iii. Any mode of transport provided by the Company (or a representative of the Company) for undertaking a journey to and from the afore mentioned locations.
- iv. At any other location whether in India or outside India.

5 DEFINITION

“Aggrieved” means in relation to a workplace, any individual, of any age whether employed in the Company or not, who alleges to have been subjected to any act of sexual harassment by an employee of the Company.

“Employer” means in any workplace, any person responsible for the management, supervision and control of the workplace.

“Sexual Harassment” includes any unwelcome sexually determined behaviour (direct or implied) such as physical contact and advances, unwelcome communications or invitations, demand or request for sexual favours, making sexually coloured remarks, showing pornography, creating a hostile work environment or any other unwelcome “sexually determined behaviour” (physical, verbal or non-verbal conduct) of a sexual nature.

“Sexual Harassment” would also mean:

- i. Quid pro quo sexual harassment, which means this for that nature or an exchange of one thing for another.
 - In the workplace, quid pro quo sexual harassment takes place if sexual favours are asked in exchange for any kind of special treatment on the job. Threatening an employee about his / her present or future employment status if he / she does not consent to such sexual advances or a favour, also amounts to sexual harassment. The act of “asking” may either be verbal or implied and the “sexual conduct” may be verbal or physical. But, in either case, it must be unwelcome.
 - For e.g.: Direct or implied requests or offers by any employee for sexual favours in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.
- ii. Hostile Work environment includes:
 - Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient, or any one or more employees.
 - Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals.
 - It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his/her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically, and emotionally or someone close to or related to the victim, to the extent the humiliation or intimidation affects the health or safety.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is in no way intended to be construed as an exhaustive list.

6 PREVENTION ACTION

The Company will take responsible steps to ensure prevention of sexual harassment at work which may include circulating applicable policies and other relevant information to all employees, including to all new joiners. All new joiners and existing employees of the Company are required to undertake the certification on the Policy on Prevention of Sexual Harassment at regular intervals as per local laws.

7 REDRESSAL COMMITTEE

The Company shall have an internal committee (“IC”) at all Trescon Limited offices, to specifically address any complaints of sexual harassment. The IC will be constituted by the Board of Directors of Trescon Limited or any one authorized to do so by the Board of Directors in writing. The IC and would be headed by a Presiding Officer, who shall be a woman employee at a senior level at workplace from amongst the employees. In case the senior officer is not available, Board of Directors of Trsecon Limited or an officer authorized by them in writing shall nominate a senior level officer from other locations from within Trescon Limited.

The IC shall comprise of the following members;

- Not less than two members shall be amongst employees preferably committed to the cause of women or who have had experience in social work or have a legal knowledge and
- One member from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Provided that, at least one half of the total members so nominated shall be women.

In addition to handling complaints of sexual harassment, the IC will also co-ordinate preventive activities to create a sexual harassment free atmosphere via

- Common information matters.
- Circulating articles on the same from time to time.
- Displaying at any conspicuous place in the workplace, the penal consequences of sexual harassments, and the order constituting the IC and
- Organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the IC.

The Presiding officer and every member of the IC shall hold office for a period not exceeding three years from the date of their nomination. Removal of IC members shall be on the following grounds;

- Contravention of the Policy or the legal provisions of the act; or
- Has been convicted for an offense or an inquiry into an offence under any law for the time being in force is pending against the member; or
- Has been found guilty in any disciplinary proceedings or a disciplinary proceedings are pending against the member; or
- Has so abused his positions as to render his/her continuance in office prejudicial to the public interest,

Provided that the same has been approved by the Board of Directors of Trescon Limited..

The IC members, unit HR representatives and reporting managers will be provided necessary training inputs to handle such issues effectively and with the required sensitivity and concern.

8 PROCEDURE FOR DEALING WITH COMPLAINTS

8.1 FILING OF COMPLAINT

If any employee believes that she/he has been subjected to sexual harassment, such aggrieved employee may file a written complaint with any member of the IC or send an email to the IC members, within three (3) months from the date of incident or in case of series of incidents, within a period of three (3) months from the last date of incident.

The IC for the reasons recorded in writing may extend the time limit not exceeding three months, if it is satisfied that there were circumstances which prevented the aggrieved employee from filing a complaint within the stipulated period.

In case the complaint cannot be made in writing, the Presiding Officer or any member of the IC, as the case may be, shall render all reasonable assistance to the aggrieved employee for making the complaint in writing. Where the aggrieved employee is unable to make a complaint on account of physical or mental incapacity or death or otherwise, his/her legal heir or any other individual who is authorized to do so in writing may make a complaint.

The IC may, before initiating an inquiry and at the request of the aggrieved employee take steps to settle the matter between the aggrieved employee and the respondent through conciliation, provided that no monetary settlement shall be made the basis of conciliation.

Where a settlement is arrived, no further inquiry shall be conducted by the IC, as case may be. The IC shall provide the copies of the settlement to the aggrieved employee, respondent and the Company for records.

In case the conciliation fails to arrive at a settlement or if the aggrieved employee informs the IC that the terms and conditions of the settlement have not been complied with by the respondent, the IC shall proceed to make an inquiry into the complaint filed before the IC.

Complaints brought after that stipulated time period will not be pursued unless there are extraordinary circumstances shown by the complainant for not bringing the complaint in time. The determination of whether the complaint was timely or whether extraordinary circumstances exist to extend the complaint period must be made by the IC in conjunction with the legal team of the Company.

Every attempt will be made to get the aggrieved employee to provide the complaint in writing. The complaint shall include the circumstances giving rise to the complaint, the dates of the alleged occurrences, and name of the respondent and the names of the witnesses, if any. The complaint shall be signed by the aggrieved employee.

Complaints made anonymously or by a third party must also be investigated to the extent possible.

Where the aggrieved employee is unable to make a complaint on account of her / his physical or mental incapacity or death or otherwise, her / his legal heir or such other person as may be prescribed in writing may make a complaint within 3 months of the incident.

If the complaint does not rise to the level of sexual harassment, the IC may determine to dismiss the complaint without further investigation after consultation with the legal team.

8.2 PROCESS OF ENQUIRY

- The Committee will ask the aggrieved employee to prepare a detailed statement of incidents / allegations. The aggrieved employee will be required to submit six (6) copies of the complaint along with supporting documents and the names and addresses of the witnesses. The statement of allegations will be shared with the respondent within seven (7) working days.
- The respondent will be asked to prepare a response to the statement of allegations, along with the list of documents and names and addresses of the witnesses and submit to the IC within a period not exceeding ten (10) working days.
- The statements and other evidence obtained in the inquiry process will be considered confidential.
- The IC will organize verbal hearings with the complainant and the respondent, in accordance with the principal of natural justice.
- During the course of inquiry, the IC shall make a copy of the findings available to both the parties enabling them to make representations against the findings before the IC.
- The IC will take testimonies of other relevant persons and review the evidence wherever necessary. The IC should ensure that sufficient care is taken to avoid any retaliation against the witnesses.

- During the enquiry process, the complainant and the respondent shall refrain from any form of threat, intimidation or influencing of witnesses.
- The IC will conduct inquiry in accordance with the practices of natural justice, i.e., the Complainant will be offered to the respondent for cross-examination and vice-versa.
- The IC will arrive at a decision after carefully and fairly reviewing the circumstances, evidence and relevant statements.
- The IC will ensure confidentiality during the inquiry process and will ensure that in the course of investigating a complaint;
 - (i) Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents.
 - (ii) Upon completion of the investigation, both parties are informed of the results of the investigation.
- The IC will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment. In this regard the IC will also have the discretion to make appropriate interim recommendations in relation to a respondent person (pending outcome of a complaint) including suspension, transfer, leave, change of work location etc.
- The IC shall have the right to terminate the inquiry proceedings or to give ex-parte decision on the complaint, if the aggrieved employee or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, provided fifteen (15) days advance notice is provided to the party concerned, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance to the party concerned.
- The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.
- For purpose of making an inquiry, the IC shall have the same powers as are vested in the civil courts under Code of Civil Procedure, 1908.
- The IC will complete the investigation within 90 days from the date of receipt of the complaint and submit it's report with recommendations within ten (10) days from the date of completion of investigation.
- The parties to the complaint shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.
- In conducting the inquiry, a minimum of three members of the IC including the Presiding Officer, shall be present for the hearing or participate through audio/video calls.

8.3 COMPLAINT OF SEXUAL HARASSMENT

For the purpose of Article 8.1:

- i. Where the aggrieved employee is unable to make a complaint on account of his/her physical incapacity, a complaint may be filed by;-
 - a. His/her relative or a friend; or
 - b. His/her co-worker; or
 - c. An officer of National Commission for Women or State Women's commission; or
 - d. Any person who has knowledge of the incident, with the written consent of the aggrieved employee.
- ii. Where the aggrieved employee is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by;
 - a. His/her relative or friend; or
 - b. A special educator; or
 - c. A qualified psychiatrist or psychologist; or

- d. The guardian or authority under whose care he / she is receiving treatment or care; or
- iii. Where the aggrieved employee for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the same with the written consent of the aggrieved employee.
- iv. Where the aggrieved employee 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 employee.

8.4 DECISION AND ACTION

During the pendency of inquiry, on a written a request made by the aggrieved employee, the IC may recommend to the Company to;

- (a) Transfer the aggrieved employee or the respondent to any other workplace; or
- (b) Grant leave to the aggrieved employee; or
- (c) Grant such other relief to the aggrieved employee as may be prescribed.

The leave granted to the aggrieved employee under this section shall be in addition to the leave he/she would be entitled to otherwise if the case is proved.

Once the investigation is completed the IC shall provide a report of its findings to the Company; within ten (10) days from the date of completion of the inquiry and such report shall be made available to the concerned parties. The company shall act upon the recommendation of the Committee within sixty (60) days of receipt of the report of the IC.

The IC shall make a determination on the validity of the harassment allegations. If it is determined that the harassment has not occurred, it shall recommend to the Company that no action is required to be taken in this matter. If it is determined that harassment has occurred, prompt, remedial action will be taken. The IC will share the investigation details and the findings thereof with the appropriate functional Head HR and agree on the applicable disciplinary action. This may include some or all of the following;

- Restore any lost terms, conditions or benefits or employment to the aggrieved employee.
- Discipline the respondent. This discipline can include deduction from the salary or wages the amount to be paid to the aggrieved employee, demotion, suspension and termination.

The disciplinary action will be carried out by the concerned HR department. Such disciplinary action may even include transfer, demotion or termination. All related documents will be maintained in the employee's folder ensuring confidentiality.

The policy shall not, however be used to raise malicious complaints. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action which may include demotion, suspension or termination will be taken against the person raising the complaint.

The Presiding Officer will share the details of all complaints received and redressed with the Corporate Headquarters on a quarterly basis.

As per the provisions of “The Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act 2013, the employer shall include in its annual report the number of cases filed, if any, and their disposal under this Act in the annual report of the Company and intimate such number of cases if any to the District Nodal officer.

9 DETERMINATION OF COMPENSATION

For the purpose of determining the sums to be paid to the aggrieved employee, the IC shall have to regard the following;

- The mental trauma, pain, suffering and emotional distress caused to the aggrieved employee.
- The loss in the career opportunity to the incident of sexual harassment; medical expenses incurred by the victim for physical or psychiatric treatment.
- The income and financial status of the respondent; and
- Feasibility of such payment in lump sum or in instalments.

10 PROHIBITION OF PUBLICATION OR MAKING KNOWN CONTENT OF COMPLAINT OR INQUIRY

The contents of the complaint made under the Policy, identity and addresses of the aggrieved employee, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken by the IC shall not be published, communicated or made known to the public, press and media in any manner.

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved employee, respondent and witnesses.

11 DUTIES OF THE EMPLOYER

The Company shall'-

- a. Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b. Display at any conspicuous place in the workplace, the penal consequences of sexual harassment.
- c. Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and conduct orientation programmes for the members of the IC in the manner as may be prescribed.
- d. Provide necessary facilities to the IC for dealing with the complaint and conducting an inquiry.
- e. Assist in securing the attendance of the respondent and witnesses before the IC.
- f. Make available such information to the IC as it may require having regard to the complaint made.
- g. Provide assistance to the aggrieved employee if he/she so chooses to file a complaint against the respondent in relation to the offence under the Indian Penal code or any other law for the time being in force.
- h. Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, of if the aggrieved employee so desires, where the perpetrator is not an employee in the workplace at which the incident of sexual harassment took place.
- i. Treat sexual harassment as a gross misconduct under the disciplinary policy of the Company and initiate action for such misconduct.
- j. Monitor the timely submission of reports by the IC.

12 SEXUAL HARASSMENT OF CLIENTS AND PARTNERS

The Company encourages its clients/partners to have a commitment to a sexual harassment free working atmosphere within their companies. The Company may play a facilitating role in redressal of complaints of sexual harassment in such circumstances.

13 POLICY IMPLEMENTATION AND REVIEW

The policy will be implemented and reviewed by the HR Department. The Company reserves the right to amend, abrogate, modify, rescind / reinstate the entire policy or any part of it at any time.

14 ANNEXURE

14.1 Annexure I – Responsibility of Employees

Given below are an indicative list of basic Do's and Don't's and is in no way intended to be construed as an exhaustive list.

DO's

- Know 20Cube Group of Companies' policy on Prevention Of Sexual Harassment
- Be aware of inappropriate behaviour and avoid the same.
- Say 'NO' if asked to go to places, do things or participate in situations that makes employee uncomfortable.
- Trust ones' instincts. Walk away from uncomfortable situations.
- Say 'NO' to offensive behaviour as soon as it occurs.
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy.
- Maintain confidentiality regarding any aspect of an inquiry to which they may be party to

DON'T's

Verbal Harassment

- Sexually suggestive comments or comments on physical attributes.
- Offensive language that insults or demeans a colleague, using terms of endearment.
- Singing or humming vulgar songs.
- Requests for sexual favours, sexual advances, coerced acts of a sexual nature.
- Requests for dates or repeated pressure for social contact.
- Discussing sexual activities, sexual prowess or intruding on the privacy of an employee.
- Sexually coloured propositions, insults or threats.
- Graffiti in the office premises.

Non-Verbal Harassment:

- Offensive gestures, staring, leering, winking, whistling with the intention to discomfort another.
- Even if not directly done to a particular individual, uttering a word, making a gesture or exhibiting any object with the intention that such word, gesture, or object be heard or seen by employees.
- Sounds, gestures, display of offensive books, pictures, cartoons, magazines, calendars or derogatory written materials at one's workplace.
- Showing or mailing pornographic posters, internet sites, cartoons, drawings.
- Suggestive letters, phone calls, SMS, electronic instant messaging or email messages.

Physical harassment

- Physical contact or advances.
- Intentional touching of the body, e.g., Hugs, kisses, brushing, fondling, pinching etc., that makes others uncomfortable.
- Any display of affection that makes others uncomfortable or is inappropriate at the workplace.

14.2 ANNEXURE II – GUIDELINES FOR IC

Role of the IC:

- Review the Complainants complaint in a fair and objective manner
- Help the complainant and the respondent find a way of solving the problem
- Determine the facts of the case with the individuals concerned and the witnesses, if any and prepare a report with the findings
- Be bound to the principle of natural justice and be unbiased in their evaluation.
- The IC will not entertain any anonymous complaints in a formal manner.

IC Members: The IC member's details are listed below as per location;

MUMBAI:

Members Name	Category	Gender	Email ID	Mobile Number
Nidhi Laad	Presiding officer	Female	nidhi.laad@trescon.com	8652200153
Sonal Ajmera	External Member	Female	sonal@shaurya4equality.com	9594362807
Hemangini Barot	Internal Member	Female	hr@trescon.com	7208952234
Heena Maru	Internal Member	Female	accounts01@triveniinfra.in	8097179665
Rajesh Gajra	Internal Member	Male	coordinator@dravilal.com	9823941000
Rahul Khairnar	Internal Member	Male	legal@triveniinfra.in	9870191871