



**POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL
HARASSMENT AT THE WORKPLACE**

PAANI FOUNDATION

(Maharashtra)

1. COMMITMENT:

1.1 Paani Foundation (hereinafter referred to as the “*Foundation*”) is committed to providing a safe and congenial work environment where every person associated with the Foundation is treated with dignity and respect and afforded equitable treatment. The Foundation is also committed to promoting a work environment that is conducive to the professional growth of its employees, participants, associates etc. and encourages equality of opportunity. The Foundation will not tolerate any form of sexual harassment at the workplace against women and is committed to take all necessary steps to discourage, prevent and prohibit any and forms of harassment against women as well as redress complaints thereof.

2. ABOUT THE POLICY:

2.1 In line with the commitment of the Foundation, this POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT THE WORKPLACE (hereinafter referred to as the “*Policy*”) has been framed to provide protection against Sexual Harassment (as defined hereinafter) at the Workplace (as defined hereinafter) and for the prevention and redressal of any complaint(s) of sexual harassment. The provisions of this Policy shall prevail in relation to the matters contained and purpose specified herein.

2.2 This Policy defines the implications and outcomes of sexual harassment in order to prevent the same and provides for awareness and sensitization about sexual harassment at the workplace. *Inter alia*, this Policy also provides guidelines with regard to the expected



standard of conduct applicable to all persons at the Foundation, the duties and responsibilities of the Employees, Employer as well as the Internal Committee. Further, it also aims to provide for protection against retaliation with regard to the Complainant, Witnesses, Members of the IC and other Employees involved in the prevention and complaint resolution processes.

- 2.3 This Policy is applicable to all categories of employees of the Foundation, including permanent management, workmen, temporaries, trainees and employees on contract at the workplace / head office / headquarters or at the remote sites / training centers / taluka offices along with the employer as well as all its affiliates, clients, customers, third parties, vendors, contractors, suppliers, visitors and/or any other business associates.
- 2.4 Any and every act of sexual harassment, in any form or related, direct or indirect retaliation resulting from complaints thereof, against any person at the workplace shall be treated as a direct violation of this Policy entailing appropriate consequences as stipulated hereunder.
- 2.5 The Foundation reserves the right to amend, modify and/or rescind this Policy or any part of it at any time without any prior notice.
- 2.6 A soft copy of this Policy shall be circulated on email with the Employees of the Foundation. All existing and future Employees shall be required to sign an undertaking acknowledging that they have read, understood and shall abide by rules contained in this Policy. Further, a hard copy of this Policy shall be kept available for ready reference with every Remote Site Head and at the Head Office / Headquarters of the Foundation in Mumbai. Hard copies of this Policy shall also be made available at the Remote Sites in Hindi and Marathi. Any Employee / visitor / personnel, if interested in reading the same, can request for such hard copy to be provided to them.

3. DEFINITIONS:



- 3.1 “**Complainant**” shall mean to include a person, whether or not an Employee of the Foundation, who files a complaint of sexual harassment at the workplace.
- 3.2 “**Employee**” includes all personnel employed by the Foundation for any work, whether or not on full time / part time / permanent / temporary / adhoc / contractual / daily wage basis, either directly or indirectly, through an agent / service provider / contractor, with or without the knowledge of the Foundation, 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 workman, temporary staff, employees on contract at the workplace / head office / headquarters or at the client sites / remote sites, members of the permanent management, a co-worker, a contract worker, a consultant, a probationer, a trainee, an intern, an apprentice, at the Workplace and/or at the client sites, at present or in future (hereinafter collectively referred to as the ”Employees”).
- 3.3 “**Employer**” would mean the senior management / permanent management of the Foundation who are responsible for the management, supervision and control of Paani Foundation and for discharging the contractual obligations with respect to Employees.
- Provided that the persons covered by the term ‘Employer’ as defined above shall also be treated as Employees wherever the context so requires for the purpose of compliance with this Policy.
- 3.4 “**Internal Committee**” or “**IC**” means a committee comprising of such persons and constituted (and modified from time to time) in such manner as may be specified in this Policy or through any directive from the Foundation. As detailed, in Clause 6 of this Policy, the Foundation currently has one IC consisting of seven (7) members for its operations in Maharashtra.
- 3.5 “**Respondent**” means a person against whom the Complainant has made a complaint of sexual harassment at the workplace.



3.6 “**Sexual Harassment**” includes but is not limited to one or a series of incidents comprising of unwelcome acts or conduct (whether directly or by implication) of *inter alia* the following nature:-

- i. Any physical contact or advance;
- ii. Any language or advance (verbal, non-verbal, written, or physical) which is abusive, sexual in nature and/or makes a person feel uncomfortable in any manner;
- iii. Any direct, indirect or implied demand or request for sexual favour, or any such expression of an interest in the same;
- iv. Making sexually coloured remarks;
- v. Showing pornography;
- vi. Any other type of unwelcome verbal, non-verbal, written or physical conduct of sexual nature; and
- vii. Non-verbal or verbal conduct or ‘making jokes’ that are gender-based or of sexual nature.

3.7 “**Workplace**” means and includes the Foundation’s office space, headquarters, any premises where the Foundation conducts business, and all spaces or locations where work related activities take place including, but not limited to, meetings, conferences, seminars, trainings, overseas trips, tours and events held at any other site away from the office premises. All travel undertaken for official purposes including travel to and from any of the aforementioned locations in any transportation provided by the Employer will also be included under the ambit of the term ‘Workplace’. All sites where the Foundation holds training sessions with regard to water harvesting, water conservation techniques etc. as well as the main event – the ‘Water Cup’, all taluka offices, all training centers, all head offices etc. shall be deemed to be an extension of the workplace and the same shall be referred to as the ‘Remote Sites’.



4. APPLICABLE LAW

- 4.1 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 including any amendments, re-enactments, substitutions thereto along with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 including any amendments, re-enactments, substitutions thereto (together, the “**SH Act and Rules**”) mandate that all Employers are to maintain a work environment free of sexual harassment of female Employees, prohibit sexual harassment at the workplace and provide for redressal of complaints of Employees.
- 4.2 The SH Act and Rules are only applicable to complaints of sexual harassment at the workplace lodged by an aggrieved woman (as defined under the SH Act and Rules). Therefore, under the SH Act and Rules, any aggrieved woman at the workplace is entitled to raise a concern of sexual harassment. However, the instant Policy has been made gender neutral with a view to provide equal protection from sexual harassment at the workplace to even male and transgender persons. Therefore, it is made abundantly clear that with regard to the complaints of sexual harassment at the workplace lodged by even male and/or transgender persons, the provisions of this Policy will be applicable.
- 4.3 While this Policy covers all the key aspects of the SH Act and Rules, for any further clarification(s), reference shall always be made to the SH Act and Rules, and the provisions set out thereunder shall prevail.

5. PERCEPTION NOT INTENT

- 5.1 It is important to understand that the perception of the victim / recipient takes precedence over the intent of the alleged harasser. Even though the intent behind the conduct alleged against may not be to cause sexual harassment or to create a hostile or uncomfortable work environment, however, it may still be considered as ‘Sexual Harassment’ if it is perceived as such by the intended recipient and/or person(s) covered under this Policy.



6. CONSTITUTION OF THE INTERNAL COMMITTEE (IC)

6.1 The Internal Committee (IC) of the Foundation has been constituted in accordance with the provisions of the SH Act and Rules, for the purpose of enquiring into and for redressal of complaints of sexual harassment.

6.2 The Internal Committee (IC) consists of:-

No.	Name	Role	Email ID	Phone Number
1	Lipi Mehta	Presiding Officer	lipi@paanifoundation.in	+91 99208 84107
2	Ziya Sayyad	External Member	ziyabanosayyed@gmail.com	+91 98900 10386
3	Rajesh Hivare	Member	rajesh@paanifoundation.in	+91 92705 29805
4	Padmaja Kawade	Member	padmaja@paanifoundation.in	+91 96578 29822
5	Nikhil Joshi	Member	nikhiljoshi@paanifoundation.in	+91 94057 40360

6.3 The members of the IC, once appointed, shall not hold office for a period exceeding 3 (three) years from the date of their appointment. However, the Foundation may at its discretion choose to reconstitute the IC at any time prior to the expiry of such term.

6.4 In the event that a complaint of sexual harassment is received against a member of the IC and/or any person related to or directly reporting to such member and the Complainant or the Respondent files objection(s) against any particular member alleging that he/she will not act in an unbiased manner with respect to the matter, then the concerned member of the IC may recuse himself/herself from acting as a member of the IC with regard to the inquiry proceedings in such a complaint case. Provided however that such allegation(s) of bias must be substantiated by sufficient reasons. Such decision to recuse should be intimated to the senior management and the HR personnel.