

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY

Version 1

1. OBJECTIVE OF THE POLICY:

Family Home Finance Private Limited strongly believes in Gender Equality and committed to create an equal employment opportunity. The Company also believes that all the employees of the Company have the right to be treated with dignity and hence the Company is instrumental in creating a healthy working environment that enables employees to work without fear of prejudice and sexual harassment. The Company recognizes that ***Sexual Harassment*** violates fundamental rights of gender equality, right to life and liberty and right to work with human dignity guaranteed by the Constitution of India.

The main objective of this policy is to ensure gender equality and prevent any act of ***Sexual Harassment*** and to ensure a congenial environment where employees can work without any inhibition and contribute their best without any fear or favour.

2. APPLICABILITY & SCOPE OF THE POLICY:

The policy shall come into force with immediate effect. This policy is applicable to both female and male employees of A. K. Group of Companies and to any visitor on our premises or to any client or business associate engaged in any act of sexual harassment. Despite of the fact that the main object of the Company is to ensure gender equality and prevent any kind of sexual harassment, the Company shall abide by '**The Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act, 2013**' and rules, notifications prescribed by the Government and any amendments thereof in the said act, rules notifications made by Government from time to time and the same shall be applicable to the Company. In case of any discrepancy between the Policy and the Act, the Act shall prevail.

3. DEFINITIONS:

- a. '**Aggrieved Person**' means in relation to a workplace, a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- b. '**Complaint**' means a formal complaint made by the aggrieved person against the respondent in written form or through an email.
- c. '**Employees**' 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. It also includes employees on contract, and summer trainee.
- d. '**Employer**' means any person responsible for the management, supervision and control of the workplace.
- e. '**Internal Committee**' means an Internal Complaints Committee constituted at A. K. Group level.
- f. '**Member**' means a Member of the Internal Complaints Committee of the Company.

- g. **'Presiding Officer'** means the Presiding officer of the Internal Complaints Committee as nominated by the Committee.
- h. **'Respondent'** means a person against whom the aggrieved person has made a complaint of any act of sexual harassment.
- i. **'Sexual Harassment'** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-
 - a) Physical contact and advances; or
 - b) A demand or request for sexual favours; or
 - c) Making sexually coloured remarks; or
 - d) Showing pornography; or
 - e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or

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:-

- a) Implied or explicit promise of preferential treatment in his/her employment; or
- b) Implied or explicit threat of detrimental treatment in his/her employment; or
- c) Implied or explicit threat about his/her present or future employment status; or
- d) Interference with his/her work or creating an intimidating or offensive or hostile work environment for him/her; or
- e) Humiliating treatment likely to affect his/her health or safety.

The following conduct/behavior shall also constitute **SEXUAL HARASSMENT**:-

- a) Unwanted physical conduct including grabbing, brushing, touching, sexual flirtation, molestation, advances or propositions, pin-ups.
- b) Sex oriented jokes or references, offensive personal references, demeaning, insulting, intimidating or sexually suggestive comments (oral or written) about an individual's personal appearance.
- c) Sending unwelcome communication of sexual nature via electronically transmitted messages such as e-mail, mobile technology, letter etc.
- d) Display of offensive or derogatory or sexually suggestive objects, pictures, photos.
- e) Any person intrudes in the personal life of any employee.

4. RESPONSIBILITY OF THE EMPLOYEES:

The employees shall be personally responsible to ensure that they maintain the code of conduct as required by the policy. Further, they shall also be responsible to report or complaint against any acts of sexual harassment as soon as possible to the **Internal Complaints Committee**.

5. CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE:

The Company shall constitute a Committee to be known as "Internal Complaints Committee" comprising of the following:

- a) Employee of the Legal Department
- b) Any one Director of the Company representing the Employer of the Company

- c) A person from amongst non-governmental organizations or associations having experience of issues relating to sexual harassment.

The Presiding Officer (Chairperson) and Members of the Committee shall be nominated by the Employer of the Company, who shall hold office for such period, not exceeding three years, from the date of their nomination by the Employer of the Company.

Atleast one-half of the total Members of the committee so nominated shall be women. The Presiding Officer (Chairperson) of the Internal Complaints Committee shall be Woman.

A quorum of 2 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer (Chairperson), atleast two members, one of whom shall be a woman.

Apart from meeting to give effect to the proceedings, the Members of the Committee shall also meet once in every quarter to review the functioning of the Committee.

The Committee shall be liable to report to the Board of Directors of the Company about the Complaints received, resolved and pending to be resolved along with disciplinary actions recommended by the Committee to the Employer at the end of every quarter. The Board of Directors of the Company shall review and note the same in the Board Meeting.

The Committee shall prepare an annual report in each calendar year the format as prescribed in Annexure-I of the Policy and the same shall be submitted to the Employer of the Company. The Employer of the Company shall be responsible for forwarding the report to the District officer appointed in this regard.

The Company shall in its Annual Report disclose the number of sexual harassment cases filed, if any and their disposal in each calendar year. The Company shall take appropriate measures to display this Policy on the official website of the Company.

The Presiding Officer (Chairperson) or any Member of the Internal Complaints Committee shall be removed from the Committee, if he/she:-

- a) has published, communicated or made known to the public, press and media in any manner the contents of the complaint and inquiry proceedings.
- 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 position as to render his/her continuance in office prejudicial to the public interest,

And such a vacancy created or any casual vacancy shall be filled by fresh nomination as per the requirement of this policy.

6. FILING OF COMPLAINT:

- a) The aggrieved person may file a written complaint to the Internal Complaint Committee within a period of three months from the date of incident and in case of series of incident within three months from the date of last incident.

Provided that where such complaints cannot be made in writing, the presiding officer or any other member of the Internal Committee shall render all reasonable assistance to the woman for making complaints in writing.

Provided further that the Internal Committee for the reasons to be recorded in writing, extend the time limit not extending three months, if it is satisfied that the circumstances were such which prevented the aggrieved person from making a complaint within the said period.

- b) If the aggrieved person is unable to make a complaint on account of his/her physical or mental incapacity a complaint may be filed by-
 - i. his/ her relative or friend; or
 - ii. his/her co-worker; or
 - iii. any person who has knowledge of the incident, with the written consent of the aggrieved person.
- c) 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 his/her written consent.
- d) 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 his/her legal heir.

7. CONCILIATION

- a) The Internal Complaint Committee, may before initiating any inquiry and at the request of aggrieved person, take steps to settle the matter between her and the respondent through conciliation. Provided that no mandatory settlement shall be made as a basis of conciliation.
- b) Where a settlement has been arrived through conciliation as mentioned above, the Internal Committee shall record the settlement so arrived and forward the same to the employer or take action as specified in the recommendation.
- c) The Internal Committee shall provide the copies of the settlement as recorded to the aggrieved person and the respondent,
- d) Where the settlement has been arrived at through conciliation, no further inquiry shall be conducted by the Internal Committee

8. PROHIBITION ON PUBLICATION OF COMPLAINTS AND INQUIRY PROCEEDINGS

The contents of the complaint, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the employer 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

9. REDRESSAL AND INQUIRY MECHANISM:

- a) Any person aggrieved for being sexually harassed, either directly or indirectly shall make a formal complaint against the respondent, which may be in written form or through an email to the Presiding Officer (Chairperson) or any member of the Internal Complaints Committee within the period prescribed under point no.6 above.
- b) The Presiding Officer (Chairperson) shall determine whether complaint falls under the purview of Sexual Harassment. If the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof and intimated to the complainant. If the complaint falls under the purview of Sexual harassment, then a copy of the complaint along with the supporting documents, if any shall be sent to the respondent within seven working days from the date of receipt of complaint by the Presiding Officer or any member of the Internal Complaint Committee.
- c) The respondent shall file his/her reply to the complaint within ten working days from the date of receipt of such complaint by the respondent.
- d) The Committee shall hold the meeting and shall give both the parties an opportunity of being heard. Both the parties at their discretion may tender documentary evidences, oral or written material, etc. to substantiate their point.
- e) If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
- f) The Committee shall complete the inquiry within three months from the date of receipt of complaint. On completion of an inquiry, the Committee shall provide a report of its findings to the employer within ten days from the date of completion of inquiry and such report shall be made available to the concerned parties.
- g) The respondent, if found guilty shall be liable to the disciplinary action as recommended by the Committee which may go up to the termination or suspension of the respondent.
- h) The Committee shall not disclose the identity and address of the aggrieved person and any information relating to complaint and action taken by the Employer of the Company to public, press and media.

- i) In case the Committee arrives at a conclusion that the aggrieved person or any other person making the complaint on behalf of the aggrieved person has made the complaint knowing it to be false or produced any forged or misleading document, or any witness has given false evidence or produced any forged or misleading document, then such person, if deemed fit, be liable for appropriate disciplinary action as recommended by the Internal Complaints Committee to the Employer.

10. POSSIBLE DISCIPLINARY ACTIONS:

The Committee may recommend any of the following disciplinary actions to the Employer of the Company:-

- a) A letter of warning that will be placed in the personal file of the harasser.
- b) Immediate transfer or suspension without pay or both.
- c) Fine equivalent to 2-4 months' salary that can be credited to a fund created to be utilized for the welfare of the employees.
- d) Stoppage of increment with or without cumulative effect.
- e) Reduction in rank.
- f) Termination/dismissal from the services of the Company.
- g) Filing a complaint in the relevant police station or court.
- h) Any other disciplinary action as may deem fit.

11. THIRD PARTY HARASSMENT:

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, Company will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

12. ROLES AND RESPONSIBILITIES:

Internal Complaints Committee:-

- a) The Committee shall investigate every formal complaint received from the aggrieved person.
- b) Recommend the Employer of the Company necessary disciplinary actions to be taken against the accused person.
- c) Recommend the Employer of the Company regarding the necessary programs, seminar, training to be conducted to create awareness among the employees.
- d) Documentation of formal complaints received along with supporting documents of proceedings etc.
- e) To maintain register of complaints received, resolved and pending in details along with description either in physical form or through electronic mode.
- f) To prepare minutes of every meeting of the Committee.

Employer of the Company:

- a) The Employer of the Company shall be responsible for effective and prompt implementation of this policy.

- b) It shall be the duty of the Employer of the Company to ensure that a disciplinary action as recommended by the Committee is promptly implemented against the accused.
- c) Shall take all necessary steps to create awareness against sexual harassment at workplace by conducting programs, seminars, training etc. as recommended by the Committee.
- d) Shall widely publicize that sexual harassment is a crime and shall not be tolerated.
- e) Ensure filing of annual report on sexual harassment in prescribed format to the District officer.
- f) To display guidelines at workplace to create awareness against Sexual Harassment.

Employees of the Company

- a) Abstain from committing any act of sexual harassment at the workplace.
- b) Report incidents of sexual harassment without any fear.
- c) Co-operate with the Committee and Employer of the Company during inquiry.
- d) Create conducive environment for co-workers at workplace.
- e) Abide by the guidelines set out in this Policy and by the applicable Act.

Human Resource Department

- a) Conduct necessary programs, seminars, trainings etc. in consultation with the Committee and the Employer of the Company.
- b) Ensure that the Policy is communicated to all the employees of the Company.
- c) Clarify any doubts or difficulties arising in the Policy.
- d) Ensure availability of appropriate medications and hospitalization facility in case of any emergency arising out of injury caused due to sexual harassment.

13. PROHIBITION OF VICTIMISATION:

No person shall be victimized for anything said or done in relation to any complaints or proceeding under this act. The Company shall ensure that no employee who brings forward a harassment concern be subjected to any form of reprisal. However, any employee abusing the said protection under this policy shall be subject to disciplinary action by the Employer of the Company.

14. CONFIDENTIALITY:

The Company will maintain confidentiality throughout the proceedings of the case of sexual harassment in order to protect the interest of victim, the witnesses and the person who reports the case of sexual harassment. The identity of the victim or the incident or the action taken against the accused will not be disclosed by the Company in any form. Further, it shall be the duty of the Company to keep all the documents, minutes, records etc. of the case confidential, provided that nothing shall apply in case the appropriate Government Authority or the Court of Justice asks for such documents, minutes, records etc.

15. POWER TO AMEND THE POLICY:

The Company reserves the right to amend the Policy. The Employer shall have the right to make any addition or deletion or to insert new clause in the Policy, with prior consultation of the Committee. However, the amendments so made shall not be contrary to any act, rules, regulation, circular or notification issued by the Government in this behalf. The Company shall notify the

amendments made in the Policy through an email by the Human Resource Department all the employees of the Company. The amendments shall also be published on the official website of the Company.

CHECK LIST / FORMAT FOR REPORTING FINDINGS

Sr. No	Particulars	Remarks/Findings
1.	DATE OF RECEIPT OF COMPLAINT	
2.	NAME / CONTACT DETAILS OF COMPLAINANT/VICTIM (S)	
3.	DATE / LOCATION OF INCIDENT	
4.	BRIEF DESCRIPTION OF COMPLAINT (CAN ENCLOSE THE COMPLAINT DOCUMENT)	
5.	NAME / CONTACT DETAILS OF ALLEGED HARASSER (S)	
6.	INVESTIGATION COMMITTEE MEMBERS (S)	
7.	DATE (S) OF INVESTIGATION – ENTER BEGINNING AND CLOSE DATES	
8.	DOCUMENTS REFERRED / VERIFIED / COLLECTED / ENCLOSED	1. STATEMENT FROM VICTIM 2. STATEMENT FROM WITNESSES, IF ANY 3. STATEMENT FROM HARASSER(S) 4. ANY OTHER CIRCUMSTANTIAL EVIDENCE
9.	ANALYSIS / OBSERVATIONS OF COMMITTEE	
10.	CONCLUSION	
11.	RECOMMENDATION OF COMMITTEE	

Place:

Date:

 Name / Designation and Signature of Committee Members

ANNEXURE-I

ANNUAL REPORT ON SEXUAL HARASSMENT CASES FOR YEAR-.....

No. of complaints received	No. of complaints disposed off	No. of cases pending for more than 90 days	No. of workshops or awareness program conducted	Nature of action taken by the employer

For A. K. Capital Finance Private Limited**Chairperson/Member**

Date:

Place: