



PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

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1. Introduction

Radhya Micro Finance Private Limited is a Base Layer - Non-Banking Financial Company ('NBFC-BL') having valid Certificate of Registration with Reserve Bank of India ('RBI') under current RBI classification as NBFC – Micro Finance (NBFC-MFI).

2. Objective

We, Radhya Micro Finance Pvt Ltd ("RMFPL" or "Company"), as a Company respects the dignity of all employees working for the Company irrespective of their gender or hierarchy and we expect responsible conduct and behavior on the part of all our employees at all levels but not limited to the office premises and other locations directly related to the Company's business.

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

3. Commitment

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

All concerned should take cognizance of the fact that RMPL strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being The Sexual Harassment of Women at Workplace (hereinafter referred to as "Act") as well as the terms of employment. Committed of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action.

4. Scope

This policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace. The Company will not tolerate sexual harassment, if engaged in by clients or by any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

This Policy comes into force with immediate effect from the date of Approval.

5. Definition

- a. **“Aggrieved Person”** means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b. **“Company”** means Radhya Micro Finance Pvt Ltd
- c. **“Employee”** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages 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;
- d. **“Internal Complaints Committee”** means a committee constituted by the Company as per this Policy in order to redress grievances pertaining to sexual harassment.
- e. **“Respondent”** means a person against whom the aggrieved person has made a complaint.
- f. **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - i. Physical contact and advances; or
 - ii. A demand or request for sexual favors; or
 - iii. Making Sexually colored remarks; or
 - iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
 - v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- i. implied or explicit promise of preferential treatment in their employment;
- ii. implied or explicit threat of detrimental treatment in their employment;
- iii. implied or explicit threat about their present or future employment status;
- iv. interfering with their work or creating an intimidating or offensive or hostile work environment;
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

- g. **“workplace”** includes any department, organization, undertaking, establishment, enterprise, institution, office or branch unit of the Company. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

6. Internal Complaints Committee

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

In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the following:

- a. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
- b. One member from amongst employees.
- c. One member from the Legal/Human Resources Department.
- d. One external member shall be from amongst non-governmental organizations OR associations OR a Lawyer committed to the cause of women.

The Name of the Members of the Internal Complaints Committee is as per **Annexure A** of this Policy and any change in such composition shall be affected in the policy.

50% of the ICC Committee composition has to be of women. The Presiding Officer shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

7. Responsibility

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

8. Who Can File a Complaint

Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-

- i. relative or friend; or
- ii. a co-worker; or
- iii. an officer of the National Commission for Women or State Women’s Commission; or
- iv. any person who has knowledge of the incident, with the written consent of the aggrieved person.

Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-

- i. relative or friend; or
- ii. a special educator; or
- iii. a qualified psychiatrist or psychologist; or
- iv. the guardian or authority under whose care they are receiving treatment or care; or
- v. any person who has knowledge of the incident jointly with any of the above.

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.

9. Mode of Complaint

The complaint has to be in writing and can be filled via email, letter or electronic mode of communication, however in case the complaint has been received via electronic communication, formal written complaint has to be submitted with the ICC prior to the enquiry.

10. Complaint Redressal Mechanism

- a) Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the Committee giving details of the sexual harassment meted out to her. The Complainant or person authorized on their behalf as per above provision, shall make a complaint in writing and may route it either through the Human Resources Department or via the Grievance Redressal Officer at grievance@radhyamfin.com
- b) The complaint along with the all documents (if provided) shall be immediately forwarded to the Presiding Officer, and this must be notified to other committee members at the earliest, and not later than 3 days a meeting should be called for discussing the matter and the committee shall discuss and decide on its jurisdiction to deal with the case or reject the complaint prima facie and recommend to the company that no action is required to be taken in the matter. Internal Complaints Committee shall issue Notice to the respondent within 7 working days of receipt of the complaint, for seeking the reply.
- c) The Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
- d) The Committee will provide assistance to the aggrieved person, if she so chooses, to file a police complaint in relation to an offence under Bharatiya Nyaya Sanhita (BNS) . Time line of 7 days from the date of receipt of the complaint would be given to the Respondent to submit his reply along with list of witnesses and documents.
- e) The Presiding Officer shall convene the first hearing of the enquiry. The respondent, the aggrieved person.
- f) and the witnesses shall be intimated at least 7 working days in advance in writing of the date, time and venue of the enquiry proceedings. The subsequent proceedings may be on a day to day basis, to be decided by ICC. The Internal Complaints Committee shall follow principles of Natural Justice while handling such complaints.

- g) As an Interim measure, upon written request by the aggrieved person, the committee may at its discretion recommend:
- (i) to transfer the aggrieved person or the respondent to another section / department or any other workplace as may be deemed fit by the committee.
 - (ii) grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled. Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the workplace.
 - (iii) restrain the respondent from exercising any administrative authority or supervision or
 - (iv) academic evaluation of the aggrieved woman.
 - (v) grant such other relief to the aggrieved woman as the case may require.
- i. Internal Complaint Committee shall investigate in detail into the matter of the complaint. The Internal Complaint committee shall have the right to call the person against whom the complaint is made or any other witnesses as and when necessary.
- ii. Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
- iii. The Internal Complaints Committee must complete its investigation within a period of 90 days and All proceedings of the ICC shall be recorded in writing. The record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned as well as the committee members present in token of authenticity thereof.
- iv. Enquiry report to be made within 14 days of the completion of the enquiry.
- h) The ICC may, before initiating, at the aggrieved person's request, take steps to settle the matter between her and the respondent through conciliation. However, Internal Complaints Committee shall ensure that:
- i. No Monetary settlement shall be made as a basis of conciliation.
 - ii. Where a settlement has been arrived at, the ICC shall record the settlement so arrived and shall forward the same to the Human Resources Department for necessary compliance.
 - iii. The Committee shall provide the copies of the settlement as recorded under (iii) to the aggrieved woman and the respondent.

Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee (ICC). However, if conciliation is found to be not feasible, notice will be issued to both parties for hearing

- i) The Internal Complaints Committee, during such investigation may, have the same powers as vested in a civil court under Code of Civil Procedure, 1908 when trying a suit, in respect of:
- i. summoning and enforcing the attendance of any person and examining him under oath;
 - ii. requiring discovery and production of documents;
 - iii. any other prescribed matter.

- j) The Committee shall proceed to make inquiry into the complaint considering sexual harassment as a misconduct.
- k) The Committee shall provide reasonable opportunity to the aggrieved woman and the respondent for presenting and defending her/his case.
- l) The committee may at any time during the enquiry proceedings, preclude the face-to-face examination of the respondent and the aggrieved woman and/or their witnesses keeping in view the need to protect the aggrieved woman or the witnesses from facing any serious health and/or safety problems.
- m) The Committee may call any person to appear as a witness if it is of the opinion that it shall be in the interest of justice. The aggrieved woman/respondent has to submit the written reply before the committee within the specified time given.
- n) The aggrieved woman and the respondent shall be responsible for presenting their witnesses before the Committee. However, if the Committee is convinced that the absence of either of the parties to the disputes is on valid grounds, the Committee shall adjourn that particular meeting of the Committee for a period not exceeding five days. The meeting so adjourned shall be conducted thereafter, even if the person concerned fails to appear for the said adjourned meeting without prior intimation/valid ground.
- o) The aggrieved woman and the respondent shall have the right of cross-examination of all witnesses. However, such cross-examination shall be conducted in the form of written questions and responses via the Committee only. The respondent shall have no right to directly cross-examine the aggrieved woman or her witnesses. The respondent/aggrieved woman may submit to the Committee, a written list of questions that he/she desires to pose to the aggrieved woman/witness. The Committee (ICC) shall retain the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, slanderous, derogatory or gender-insensitive.

11. Manner of Taking Action Against the Respondent

Where the ICC arrives at the conclusion that the allegation against the respondents has been proved, it shall recommend to the employer to take action which may include the following:

- a. Written apology.
- b. Warning.
- c. Reprimand or Censure.
- d. Withholding of Promotion;
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counseling session or carrying out community service.
- h. Any other punishment according to the service rules applicable to the respondent.

If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.

12. Awareness

- a. All the Employees, Agents and bankers shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
- b. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in RMFPL during their initial induction.
- c. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.

13. Punishment for False or Malicious Complaint and False Evidence

Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action in accordance with the provisions of the service rules applicable to her or him.

14. Confidentiality:

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.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

15. Miscellaneous

- a. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employees.
- b. Nothing contained in this policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other law.

16. Conclusion

Complaints relating to Sexual Harassment shall be handled and investigations shall be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior.

The Company reiterates its commitment to providing its women employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

17. Review

The Board of Directors have been entrusted with the responsibility of enforcement of this policy. They are hereby given absolute power to jointly or severally, make necessary changes, amendments or additions or removals for the operational aspects of the policy within the overall spirit and guidance from time to time for reasons like technology or process upgradation, regulatory changes, maintaining competitive edge or responding to changes in market or risk environment, etc. This is required to ensure full operational freedom to the senior management and make the management team more adaptive to rapid changing external environment. All changes so made shall be noted to the policy approving authority during the next policy review.

Annexure A

Members of the Internal Complaints Committee:

1. Gunjan Gupta (Chairperson)
2. Roopam Gupta
3. Aditya Kothiwal