

SRESTHA FINVEST LIMITED

POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE

I. INTRODUCTION

M/S. SRESTHA FINVEST LIMITED as an employer is committed for creating a healthy and safe work environment for the women employees to enable them to work to full of their capabilities. Sexual harassment constitutes a gross violation of women's right to equality and dignity. One of these is workplace sexual harassment which causes serious harm at the work place. Therefore, in order to deal with sexual harassment at workplace the Company has set out a policy for the Prohibition, Prevention and Redress of Sexual Harassment cases. This policy is in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The policy shall be in effect from the date of approved by the competent authority till further revision (if any). It is the responsibility of all those connected with the Company to comply with this policy. The objective of the policy is to provide its women employees, a workplace, free from harassment / discrimination and every employee is treated with dignity and respect. This may be called as "Policy of for Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace".

II. COMMITMENT:

1. The Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment.
2. 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.
3. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of harassment.

In other words, the three key obligations of the Company in this regard are:

1. Prohibition
2. Prevention and
3. Redress

III. SCOPE: This policy applies to all employees working for remuneration.

IV. DEFINITIONS

Workplace sexual harassment is a behavior that is unwelcome.

Employer An employer refers to:

1. The head of the department, organization, undertaking, establishment, office, branch or unit of the appropriate Government or local authority or such officer specified in this behalf.

2. Any person (whether contractual or not) responsible for the management, supervision and control of a designated workplace not covered above.
3. A person who employs or benefits from the employment of domestic worker or women employees.

Workplace

It is defined as any place visited by employees and the women employee during the course of employment.

V. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

1. All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy.
2. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

VI. INTERNAL COMPLAINTS COMMITTEE AGAINST SEXUAL HARASSMENT:

The Company has constituted an Internal Complaints Committee against Sexual Harassment (ICCSH) 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:

1. Chairperson : Women working at senior level as employee; if not available then nominated from the office.
2. Members (3-4): From amongst employees committed to the cause of women/ having legal (minimum) knowledge/experience in social work.
3. Member Secretary: From amongst any of the employees ,In case of the absence of the Chairperson (on account of leave, tour, etc.), next senior most employee member shall assume the responsibility of the Chairperson in case of emergent cases.

VII. KEY RESPONSIBILITIES OF THE INTERNAL COMPLAINTS COMMITTEE AGAINST SEXUAL HARASSMENT (ICCSH)

The ICCSH is responsible for: To effectively address workplace sexual harassment complaints, a Complaints Committees must first be aware of their key responsibilities, some of which are highlighted below:

1. Be thoroughly prepared
2. Know the Act, Policy and/or relevant Service Rules
3. Gather and record all relevant information
4. Determine the main issues in the complaint
5. Prepare relevant interview questions
6. Conduct necessary interviews
7. Ensure parties are made aware of the process and their rights/responsibilities within it
8. Analyse information gathered
9. Prepare the report with findings/recommendations

VIII. KNOWLEDGE, SKILLS, TRAINING Dealing with workplace sexual harassment complaints is often complex. Hence Complaints Committee/s must possess critical skills/capacity to effectively carry out their role. That includes a sound grasp of the Act, Vishaka Guidelines, applicable Service Rules, relevant laws and an understanding of workplace sexual harassment and related issues. Complaints Committee skills must include an ability to synthesize information i.e. relevant documents, the law and interviews. They should also be able to communicate effectively, write clearly, listen actively and conduct interviews. They should be competent at showing empathy, being impartial and being thorough. They should be able to identify sexual harassment and its impact.

IX. Contents of the complaint The written complaint should contain a description of each incident(s). It should include relevant dates, timings and locations; name of the respondent(s) and the working relationship between the parties. A person designated to manage the workplace sexual harassment complaint is required to provide assistance in writing of the complaint if the complainant seeks it for any reason.

X. Rights of the complainant

1. An empathetic attitude from the Complaints Committee so that she can state her grievance in a fearless environment.
2. A copy of the statement along with all the evidence and a list of witnesses submitted by the respondent.
3. Keeping her identity confidential throughout the process. Support, in lodging FIR in case she chooses to lodge criminal proceedings.
4. In case of fear of intimidation from the respondent, her statement can be recorded in absence of the respondent
5. Right to appeal, in case, not satisfied with the recommendations/findings of the Complaints Committee

XI. RIGHTS OF THE RESPONDENT

1. A patient hearing to present his case in a non-biased manner.
2. A copy of the statement along with all the evidence and a list of witnesses submitted by the complainant.
3. Keeping his identity confidential throughout the process.
4. Right to appeal in case not satisfied with the recommendations/findings of the Complaints Committee.

XII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment in which the concerns of sexual harassment shall be resolved.

A. Informal Resolution Options

If the complainant chooses to adopt the informal process to resolve her complaint of workplace sexual harassment, then it is the responsibility of the person designated to receive and manage the Complaints Committee to explore enabling ways to address the complaint. This can include counselling, educating, orienting, or warning the respondent to promptly stop the unwelcome

behaviour or appointing a neutral person to act as a conciliator between the parties to resolve the complaint through conciliation.

The choice of a formal process rests with the complainant even if the person responsible for managing the complaint believes that this can be resolved through an informal process.

B. Formal Resolution Options Any women with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Chairperson of the Internal Complaints Committee constituted by the Management. 1. If the complainant opts for formal redress, or the nature of the complaint is serious which calls for formal redress, then the Complaints Committee responds to the complaint. 2. Complaints Committee/s members must be free of any conflict of interest with either the concerned parties or with the outcome. 3. Ensure that the independent third party member has sound knowledge, skill, and experience in dealing with workplace sexual harassment complaints.

XIII. TIMELINES FOR ATTENDING COMPLAINTS:

1. The complainant shall submit 6(six) copies of the Complaint to the Complaint Committee along with supporting documents and the names and addresses of the witnesses in writing and can be in form of a letter, preferably within 3 months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. The employee is required to disclose her name, department, division and location she is working in, to enable the Chairperson to contact her and take the matter forward.
2. The Complaints Committee shall send 1 (one) of the copies received from the aggrieved woman to the accused (respondent) within a period of 7 working days.
3. The Accused (respondent) shall file his reply to the Complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.
4. The Complaints committee have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved (complainant) or Accused (respondent) fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the Chairperson, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.
5. In conducting the inquiry, a minimum of 3 Members of the Complaints Committee including the chairperson, as the case may be, shall be present.
6. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.
7. The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Employer as soon as practically possible and in any case, not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation **within 60 days of its receipt by him.**
8. The Complaints Committee's report will also be made available to concerned parties.

XIV. MANNER OF TAKING ACTION AGAINST THE RESPONDENT: Where the Complaints Committee arrives at the conclusion that the allegation against the respondents been proved, it shall recommend to the employer to take strict action against the victim.

XV. 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.

XVI. 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 by all involved to the extent practicable and appropriate under the circumstances.

XVII. 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.

XVIII. FREQUENCY OF MEETING OF INTERNAL COMPLAINTS COMMITTEE AGAINST SEXUAL HARASSMENT: The Internal Complaints Committee against Sexual Harassment will meet once a quarter, even if there is no live case and review preparedness to fulfill all requirements of the procedures of handling the cases.

XIX. SUBMISSION OF ANNUAL REPORT OF THE COMMITTEE: The Internal Complaint Committee against Sexual Harassment will prepare an annual report relating to the number of cases filed, if any, and their disposal details.
