



प्रयास हमारा, उन्नति आपकी

# **ANTI - SEXUAL HARASSMENT POLICY**

## BACKGROUND

Paisabuddy Finance Private Limited (PBFPL) is a RBI registered Non-Banking Finance Company and a company registered under the Companies act, 1956. PBFPL undertakes business of lending/finance/ Loan to the MSME sector.

PBFPL is an equal employment opportunity company and is committed to creating a healthy working environment free of intimidation and free from sexual harassment that enables employees to work without fear of prejudice, gender bias and sexual harassment. PBFPL also believes that all employees of the Company have the right to be treated with dignity.

## OBJECTIVES OF THE POLICY

To create a work environment where safety and dignity of women Employees is ensured and they are protected from Sexual Harassment as envisaged by Supreme Court of India Guidelines on Sexual Harassment, August 1997, "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013".

## SCOPE

The Policy intends to ensure that no woman employee is subjected to sexual harassment. It is applicable to all employees of PBFPL and its fraternity. Employee as referred to in this Policy covers all employees of PBFPL, whether permanent or temporary, probationary or part-time or working as a consultant or on a voluntary basis or engaged through a contractor or agent, including employees at PBFPL's branch offices and subsidiary.

This Policy shall be applicable to any allegation of sexual harassment at PBFPL premises including any place visited by an employee arising out of or during the course of employment and/or transportation provided by PBFPL ("workplace").

## DEFINITIONS

- 1) "Act" means "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and any amendment thereto.
- 2) In accordance with Section 2 of the Act :-
  - a) "aggrieved woman" means and includes:-
    - i) in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
    - ii) in relation to a dwelling place or house, a woman of any age who is employed in such a dwelling place or house;
  - b) "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;
  - c) "sexual harassment" includes any one or more of the following unwelcome acts or behaviour
  - d) (whether directly or by implication) namely:-
    - i) physical contact and advances;
    - ii) a demand or request for sexual favours;
    - iii) sexually coloured remarks;
    - iv) showing pornography.

- v) any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.
- e) "workplace" includes:-
- i) any private sector organization or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organization, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, entertaining or entertainment-oriented, industrial, health services or financial activities including production, supply, sale, distribution or service;
  - ii) 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;
- f) "Internal Complaints Committee" means a committee by that name, as constituted by the Board of PBFPL as per the provisions of the Act.
- g) "respondent" means the person against whom the complaint of sexual harassment has been made by the aggrieved woman.

### RESPONSIBILITY OF EMPLOYEES

Every employee has a responsibility to:

- a) comply with this ANTI-SEXUAL HARASSMENT POLICY;
- b) offer support to anyone who is being harassed and let them know where they can get help and advice (they should not approach the harasser themselves);
- c) maintain complete confidentiality if they provide information during the investigation of a complaint.

### CONSEQUENCES OF VIOLATION OF THE POLICY

Any employee who is found to have violated the Anti-Sexual Harassment Policy will be subjected to appropriate disciplinary action, up to and including termination. PBFPL prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to appropriate disciplinary action, up to and including termination.

### CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

PBFPL recognizes issues connected to sexual harassment at the workplace and pledges to prohibit all such issues through an internal committee comprising of 4 Members.

The Internal Complaints Committee shall comprise of:

Sr.	Name	Designation	Location	Email ID	Contact No.
1	Ms. Shreya Garg (Company Secretary)	Presiding officer	Jaipur	<a href="mailto:cs@paisabuddy.com">cs@paisabuddy.com</a>	9887928084
2	Ms. Priyanshi Khandelwal (HR)	Member	Jaipur	<a href="mailto:hr@paisabuddy.com">hr@paisabuddy.com</a>	7230074650
3	Mr. Purushottam Jhalani (VP Finance)	Member	Jaipur	<a href="mailto:purushottam.jhalani@paisabuddy.com">purushottam.jhalani@paisabuddy.com</a>	9920428406
4	Mr. Umesh Dube (Advocate Rajasthan High Court)	External Member	Jaipur	<a href="mailto:umeshdubeyadav@gmail.com">umeshdubeyadav@gmail.com</a>	9461309882

The Presiding Officer and every Member of the Internal Complaints Committee shall hold office for the period not exceeding three years from the date of their nomination.

The committee shall meet once in every half year even if there are no complaints. In case there is any complaint, the committee shall meet within five days from the receipt of the Complaint.

A quorum of 3 members is required to be present for the meetings to take place. However, in case of any proceedings on complaint, the presence of all members is a must.

## COMPLAINT RELATED PROCESSES

### A. Lodging a Complaint:

- a) The aggrieved woman to make a complaint directly to the Presiding Officer of the Internal Complaints Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The Presiding Officer should try to solve the grievance informally before escalating the matter to the Committee.
- b) Where an aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by (a) her relative or friend, or (b) her co-worker, (c) an officer of the National or State Commission for Women, or (d) any person who has knowledge of the incident, with the written consent of the aggrieved women.
- c) Where an aggrieved women is unable to make a complaint on account of her mental incapacity, a complaint may be filed by (a) her relative or friend, or (b) a special educator, or (c) a qualified psychiatrist or psychologist, (d) the guardian, or (e) any person who has knowledge of the incident jointly with any of the persons mentioned in (a) to (d) of this paragraph.
- d) Where an aggrieved woman, 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 the written consent of the aggrieved women.
- e) The Internal Complaints Committee may, for the reasons to be recorded in writing, extend the time limit, if it is satisfied that there were unavoidable circumstances which prevented the aggrieved woman from filing a complaint within the said period.
- f) The complaint referred above shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name of the contravener. The information disclosed by such complainant should be treated as confidential information by the members of the Internal Committee.
- g) If the aggrieved woman would like to initiate action under the Indian Penal Code, 1860 ("IPC"), she may inform the PBFPL management of the same, and the management will provide necessary assistance to the aggrieved woman to file the complaint in relation to the offence under the IPC.

### B. Processing a Complaint:

- a) The Committee shall maintain a register to endorse the complaint received by it and keep the contents confidential, if it so desires, except to use the same for discreet investigation.
- b) The Committee shall hold a meeting with the complainant within five days of the receipt of the Complaint, but not later than a week in any case.
- c) At the first meeting, the Committee members shall hear the complainant and record her allegations.
- d) The complainant can also submit any corroborative material with a documentary proof, oral or written material, etc. to substantiate her complaint.
- e) Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to the person to give an explanation, whereafter, an enquiry shall be conducted and concluded.
- f) In the event, the complaint does not fall under the purview of sexual harassment, or the complaint does not mean an offence of sexual harassment; the same would be dropped after recording the reasons thereof.

**C. Conciliation:**

The Internal Complaints Committee may, before initiating an inquiry, at the request of the complainant take steps to settle the matter between her and the respondent through conciliation. However, no monetary settlement shall be made the basis of the conciliation. Where a settlement has been arrived at as mentioned above, the Internal Complaints Committee shall record the settlement so arrived at and forward the same to the management of PBFPL to take action as specified in the recommendation and shall provide copies of the settlement to the complainant and the respondent.

**D. Inquiry into Complaint:**

The Internal Complaints Committee shall proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable. Such an inquiry (with due conciliation as appropriate) shall be completed within a period of three months. Confidentiality of the complaint procedure will be maintained.

The Internal Complaints Committee shall proceed to make an inquiry into the complaint in accordance with the principles of natural justice and further during the course of inquiry provide an opportunity of being heard to the complainant and the respondent and the relevant witnesses provided by the complainant and the respondent.

For the purpose of making an inquiry the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:

- a) Summoning and enforcing the attendance of any person and examining him on oath
- b) Requiring the discovery and production of documents; and
- c) Any other matter which may be prescribed.

**E. Inquiry Report:**

On completion of inquiry, the internal committee shall provide the report of its findings to the Director & CEO within a period of 10 days from the date of completion of enquiry and such report be made available to the concerned parties.

A copy of the final report, notes of meetings and interviews, evidence and documentation relating to any action taken as a result of an investigation will be retained by the Internal Committee. These records should not be placed on personnel files unless the Complaint results in disciplinary action against one or more of the parties involved in the Complaint, in which case any appropriate records may be placed on the disciplined Employee's file.

The Director & CEO shall act upon the recommendation in the report, if any, within 60 days of its receipt. In the event that the Internal Complaints Committee arrives at the conclusion that there is no case for sexual harassment, then the complaint may be dropped by the Internal Complaints Committee and it shall notify the management of PBFPL of the same.

**PENALTIES TO RESPONDENT**

If the sexual harassment complaint is proved prima-facie right to the Internal Complaints Committee based on the material and/or witness verified by them, then the Committee will recommend to the Director & CEO:

- i. To take action for sexual harassment as misconduct in accordance with the provisions of the service rules applicable to the respondent.

- ii. To deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the complainant or to his/her legal heirs, as it may determine as compensation.

If the employer is unable to make such deduction from the salary of the respondent due to the person being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the complainant:

In case the respondent fails to pay the compensation referred above, the Internal Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

#### **PUNISHMENT FOR FALSE COMPLAINTS**

Where the Internal Complaints Committee arrives at a conclusion during or after the inquiry that the allegation against the respondent is either malicious or false, appropriate punitive action may be taken by the Director & CEO as per service rules applicable on recommendations of the committee.

Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section.

The malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

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