



Sindhujā
आपकी वसुद्धि का साथी

PREVENTION OF SEXUAL HARASSMENT POLICY

SINDHUJA MICROCREDIT PRIVATE LIMITED

September 2018



Sindhujā
आपकी वसुद्धि का साथी

Version 1.1

Revision history

Version	Author	Date of Revision

This document has been reviewed by

	Reviewer	Date of Review
1	Abhisheka Kumar	11.10.2018
2	Malkit Singh Didyala	11.10.2018
3		

This document has been approved by Board of Directors in their Board Meeting

	Approval Authority	Date of Approval
1	Board of Directors	11.10.2018
2		
3		

Manoj Singh

Abhisheka Kumar



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

I. OBJECTIVE

Sindhujā Microcredit Private Limited ("Sindhujā Microcredit" or "Company") is committed to creating and maintaining a secure work environment where its Employees, Agents, Vendors and Partners can work and pursue business together in an atmosphere free of harassment, exploitation and intimidation caused by acts of Sexual Harassment within but not limited to the office premises and other locations directly related to the Company's business.

All concerned should take cognizance of the fact that Sindhujā Microcredit strongly opposes sexual harassment, and that such behaviour 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 there under.

II. SCOPE

SINDHUJA MICROCREDIT's Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers all employees across the Company. Sindhujā Microcredit encourages every woman employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

III. POLICY AND ITS EFFECT

Sindhujā Microcredit Private Limited Policy on prevention of Sexual Harassment at Workplace includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including employees of outsourced entities. Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent.

This Policy comes into force with immediate effect.



IV. 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 Sindhujā Microcredit Private Limited.
- 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 Company as per this Policy.
- 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 favours; or
- iii. Making sexually coloured 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 which includes Implied or explicit promise of preferential treatment in their employment, threat about their present or future employment status, interfering with their work or creating an intimidating or offensive or hostile work environment and humiliation treatment likely to affect their health or safety.

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

“Sexual Harassment” would also mean:

i. Quid pro quo sexual harassment, which means something in return or an exchange of one thing for another.

In the workplace, quid pro quo sexual harassment takes place if sexual favours are asked in exchange for any kind of special treatment on the job.. Threatening an associate about his/her present or future employment status if he/she does not consent to such sexual advances or a favour also amounts to sexual harassment.. The act of ‘asking’ may either be verbal or implied and the ‘sexual conduct’ may be verbal or physical.. But, in either case, it must be unwelcome

For eg:: Direct or implied requests or offers by any associate for sexual favours in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment..

ii. Hostile work environment includes

- Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient, or any one or more Associates
- Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals
- It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his / her roles and responsibilities,, socially ostracizing,, intimidating someone physically,, psychologically,, and emotionally or someone close to or related to the victim , to the extent the humiliation or intimidation affects the health or safety..

This is only an indicative list of the possible acts which could be treated as sexual harassment and is in no way intended to be construed as an exhaustive list.

g) **“Workplace”** includes any department, division, undertaking, establishment, office or branch

unit. 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.

V. INTERPRETATION:

Terms that have not been defined in this policy shall have the same meaning assigned to them in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 as amended from time to time.

VI. INTERNAL COMPLAINTS COMMITTEE (ICC)

A committee shall be constituted by the management to consider and redress complaints of Sexual Harassment consisting of

- 1) A woman employee employed at a senior/mid level amongst the employees shall act as Presiding officer of the committee.
- 2) Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work
- 3) A representative from a NGO or associations committed to the cause of women or a person familiar with issues relating to Sexual Harassment or a woman lawyer

VII. COMPLAINT REDRESSAL MECHANISM

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 within a period of 3 months from the date of incident.

- 1) On receipt of complaint, the Internal Complaints Committee will decide the place and time for hearing the complaint and intimates the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee follows principle of Natural Justice while handling such complaints.
- 2) Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.
- 3) Internal Complaints 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.
- 4) The Internal Complaints Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation.

The Internal Complaints Committee may during such investigation may exercise the power of a civil court

VIII. ACTION

- 1) The Internal Complaints Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.
- 2) If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
- 3) If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Managing Director of the Company to take action for sexual harassment as misconduct. Such action will be taken within 60 days of the receipt of report.

IX. AWARENESS/NOTIFICATION

- 1) All the Employees, Agents, Customers, Vendors, Partners and Visitors 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.
- 2) 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 Sindhujā Microcredit during their initial Induction.
- 3) 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.
- 4) Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.
- 5) Assistance would be provided to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- 6) Sexual harassment will be treated as a misconduct under the service rules and appropriate action will be initiated for such misconduct

X. FALSE ACCUSATIONS

An employee who knowingly makes an allegation of sexual harassment to the committee shall be subject to disciplinary action, including termination of employment, in accordance with company rules, policies and procedures. Further, this policy may not be used as a defense by an employee against

whom an adverse action has been taken by the company independent of any disclosure of information and for legitimate reasons or cause under company rules and policies.

XI. MISCELLANEOUS:

- 1) 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 employee.
- 2) Nothing contained in these rules 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 Rules or Law.
- 3) The Internal Complaints Committee shall prepare an annual report shall submit the same to the Company to include in its Annual report detailing number of complaints of sexual harassment received during the year, disposed off and pending cases.

XII. CONCLUSION

Complaints relating to Sexual Harassment shall be handled and investigations will 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 behaviour. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.