



POLICY ON SEXUAL HARASSMENT

1. OBJECTIVE OF POLICY

- a) Our Company is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the company have the right to be treated with dignity.
- b) Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

2. SCOPE

The Prevention of Sexual Harassment policy is applicable:

- a) To all employees of Ashika Credit Capital Ltd and its group companies.
- b) To employers, which as per section 2 (g) of the Act, shall mean any person authorized /designated to be the employer within the means of the Act by Ashika.
- c) This Policy comes into effect immediately.
- d) Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.
- e) The ICC/RCC is required to enquire all Complaint made under the provisions of the Act and as per this Policy / guideline in just and fair manner and submit their report to the respective Employer (s), as the case may be. It is pertinent to mention that the Employer only has the right to punish any accused hereunder and ICC is an advisory body to meet the ends of justice.

3. DEFINITION:

- a) Committee means Internal Complaints Committee/Regional Complaints Committee constituted by Company as per this Policy.
- b) Respondent" means a person against whom the aggrieved person has made a complaint.
- c) 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.
- d) Sexual harassment would mean and include any of the following:
 - Physical contacts and advances;
 - A demand or a request for sexual favors;
 - Sexually colored remarks;
 - Showing pornography;
 - Any other unwelcome physical, verbal/nonverbal conduct of sexual nature



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:

- implied or explicit promise of preferential treatment in their employment;
- implied or explicit threat of detrimental treatment in their employment;
- implied or explicit threat about their present or future employment status;
- interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- 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

e) The workplace includes:

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

IV. Complaint Reporting Channel

- a) Any Complaint from Eastern region shall be made to the ICC.
- b) Any Complaint from Western region shall be made to the RCC.
- c) Every complaint received shall be forwarded to respective ICC/ RCC formed under the policy for redressal. The investigation shall be carried out by respective ICC/RCC constituted for this purpose.
- d) A Complaint should be made to the respective RCC or ICC as case may be . In the event any matter is received by the respective RCC, the RCC shall report the matter / Complaint immediately to the ICC and redress such Complaint as per the present Policy as guided by the ICC. Further, finding of the RCC shall be reported to the Employer through ICCs.
- e) ICC/RCC will comprise of the four members out of which at least two members will be of the same gender as that of the complainant. The Name of the Members of the ICC/RCC is as per **Annexure A** of this Policy and any change in such composition shall be effected in the policy.
- f) Atleast half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.
- g) A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.



V. COMPLAINT REDRESSAL MECHANISM

- a) A Person who has been subject to Sexual Harassment may make in writing a Complaint of sexual harassment at workplace to the Committee within a period of three months from the date of incidence and in case of series of incidences within a period of three months from the date of last incidence. Provided that where such Complaint cannot be made in writing, the presiding Chairperson or any member of the respective ICC/RCC or the chairperson shall render all reasonable assistance to the Complainant for making the Complaint in writing.
- b) If the Committee is satisfied that the circumstances were such that prevented the Complainant from filing the Complaint within said period they can extend the time limit not exceeding three months.
- c) The Complainant is required to send the written Complaint to the respective ICC/RCC either by way of six copies of the letter detailing Complaint. The Complainant may also email the Complaint to a Committee member. The Complaint may be made with full details & explanations.
- d) It is pertinent to mention that the written Complaint is mandatorily required to be filed by the Complainant with full name and details for seeking any action under this Policy and / or the Act. Any anonymous Complaint shall not be entertained.
- e) Where the Complainant is unable to file the Complaint of their own, their legal heirs or parents, spouse, children or sibling can file the Complaint.
- f) A third party can also be a Complainant however, a written Complaint from the Person who has been subject to Sexual Harassment is mandatory to be filed with the respective ICC/RCC.
- g) ICC/RCC on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- h) Both written / emailed Complaint must provide the details of the incident together with the name/s of the Respondent/s and the Complainant/s as available
- i) The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the ICC/RCC through following mode:
 - Copy of complaint along with supporting documents and names and address of witness shall be sent to ICC/RCC.
 - On receipt of such complaint, ICC/RCC shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days.
 - Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses



- ICC/RCC shall investigate in detail into the matter of the complaint. The ICC/RCC shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.
 - ICC/RCC 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.
 - The Committee must complete its investigation within a period 90 days
- j) The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Committee.
- k) For conducting the enquiry the quorum of the ICC/RCC shall be of 3 members including the presiding officer.
- l) The Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Committee shall ensure that:
- Monetary settlement will not be made as a basis of conciliation.
 - Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it. Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Committee.
- m) The Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:
- summoning and enforcing the attendance of any person and examining him under oath;
 - requiring discovery and production of documents;
 - any other prescribed matter.
- n) During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
- To transfer the aggrieved person or the respondent to any other work location;
 - 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.

VI. ACTION:

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



- c) If the Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:
- Take action for sexual harassment as a misconduct.
 - To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
 - To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.
- d) Such action will be taken within 60 days of the receipt of report.

VII. FALSE ACCUSATIONS:

- a) The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
- b) If the ICC/RCC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, than the same has to be intimated to the ICC and then the ICC may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Committee concludes, that he/she has given false evidence or produced forged or misleading documents.
- c) It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. ACCL recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

VIII. 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 employee.
- b) 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.
- c) The ICC/RCC shall prepare an annual report with the following details and shall submit the same to the Company to include in its Annual report:
- Number of complaints of sexual harassment received during the year;
 - Number of complaints disposed off during the year;



- Number of cases pending for more than 90 days;
- Number of workshops or awareness program against sexual harassment carried out;
- Nature of action taken by the employer.

IX. CONCLUSION:

At ASHIKA, we endeavor to provide conducive and healthy work environment where the relationship amongst the employees as well as with the Employer are cordial and supporting in all aspects, so that each employee shall have an enriching experience. The objective of this policy is to ensure our employees that ASHIKA is determined to provide them excellent, comfortable, safe and healthy work environment, so that they can come out with their best in all facets.



Annexure - A

List of Members of Internal Complaint Committee/ Regional Complaint Committee

East Zone: Kolkata Office (ICC)

Sl no	Name	Position	Contact details
1	Anju Mundhra	Presiding Officer	anjulohia@ashikagroup.com
2	Vivek Patni	Member	vivek.p@ashikagroup.com
3	Manali Mehta	Member	manali.m@ashikagroup.com
4	Kamal Dalmia	Member	kamal_dalmia@ashikagroup.com

West Zone: Mumbai Office (RCC)

Sl no	Name	Position	Contact details
1	Nimisha Joshi	Chairperson	nimisha@ashikagroup.com
2	Niraj Kothari	Member	nirajkothari@ashikagroup.com
3	Heena Malder	Member	heena@ashikagroup.com
4	Chirag Jain	Member	chiragjain@ashikagroup.com