



Anti Sexual Harassment Policy of Mitrata Inclusive Financial Services  
Limited

(Formerly Known as Mitrata Inclusive Financial Services Private Limited)

**Corporate office:**

V-29/11A, DLF Phase III, Gurugram, Haryana-122002

**Registered Office:**

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**POLICY FOR PREVENTION AND REDRESSAL OF  
SEXUAL HARASSMENT AT THE WORKPLACE**

**Anti Sexual Harassment Policy**

**Introduction**

In accordance with The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the fundamental principles laid down in the Constitution of India, Mitrata is committed to provide all its employees with a work environment that is safe, fair and free from unlawful discrimination and harassment on the basis of gender.

Mitrata 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. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

**HAVING REGARD** to the definition of 'human rights' in Section 2(d) of the Protection of Human Rights Act,1993,

**TAKING NOTE** of the fact that the present civil and penal laws in India do not adequately provide for specific protection of women from sexual harassment in work places and that enactment of such legislation will take considerable time,

It is necessary and expedient for employers in work places as well as other responsible persons or institutions to observe certain guidelines to ensure the prevention of sexual harassment of women.

This Anti Sexual Harassment Policy has been drafted on the basis of Sexual Harassment at workplace.

**Objective**

Mitrata is committed to implement best practices that will promote an equal and healthy workplace free from Sexual Harassment. The objectives of this policy therefore aim to:

- Create a work environment where all are treated with dignity and respect;
- Promote awareness about equality and Sexual Harassment;
- Ensure employees are aware of their rights and responsibilities with respect to equality and Sexual Harassment at workplace;
- Provide a prompt and effective redressal mechanism in responding to Sexual Harassment complaints;
- Maintain confidentiality of complaints and related matters;
- Not tolerate retaliation against complaints and/ or individuals cooperating with an investigation into a complaint of sexual Harassment; and
- Create a non- hostile(conducive) environment

## **Application**

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees including full-time Employees, part-time employees and any other person(s), acting pursuant to a contractual relationship with Mitrata.

## **Policy Statement**

This Policy sets out procedures which need to be followed by an Employee when he/ she believes that he/ she is being subjected to an act of Sexual Harassment. This Policy shall be applicable on all Employees of the Company and shall be part of the service conditions which are applicable on all Employees of the Company.

### **1. DEFINITIONS:** In this policy, unless the context otherwise requires-

- 1.1 **“Complaint”** means a written statement duly signed by the complainant describing the Sexual Harassment.
- 1.2 **“Complainant”** means a person who alleges to have been subjected to any act of Sexual Harassment by another Employee.
- 1.3 **“Employee”** means a person employed at Company’s workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the Company, 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; but does not include domestic worker working at home of any Employee.
- 1.4 **“Complaint Committee”** means the committee constituted under the order of the management of the Company so as to consider and redress complaints of the Complainant(s) with respect to Sexual Harassment.
- 1.5 **“Respondent”** means against whom the Complainant has made a Complaint.
- 1.6 **“Sexual Harassment”** includes any unwelcome sexual determined behavior (whether directly or by implication) as (i) physical contact and advances; or (ii) a demand or request for sexual favors; or (iii) sexually colored remarks; or (iv) Confidential showing pornography; or (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature. However, the following acts would not fall within the definition of sexual harassment i.e. i) implied or overt promise of preferential treatment in his/ her employment; or ii) implied or overt threat of detrimental treatment in his/ her employment; or iii) implied or overt threat about her present or future employment status; or iv) conduct of any person which interferes with his/ her work or creates an intimidating or offensive or hostile work environment for him/ her; or v) humiliating conduct constituting health and safety problems for him/ her.

## **Definition**

Sexual harassment includes any unwelcome sexual determined behavior (whether direct or by implication) but not limited to the following:

- Physical contact and advances; Demand and request for sexual favor;
- Sexual colored remarks Showing pornography; or

- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- Unwelcome sexually determined behavior shall include, but not be limited to the following instances;
- Where submission to such contact is either an explicit or implicit term or condition of employment, i.e., promotion, training, assigned duties or overtime assignments;
- Where submission to or rejection of the conduct is used as a basis for making employment decisions, i.e., hiring, advancement, and termination: or
- Where such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

**Examples of Sexual Harassment include, but are not limited to:**

- unwelcome sexual advances, whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comments about an individual's body, sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, or cartoons, including by downloading such materials from the Internet;
- unwelcome leering, whistling, brushing against the body, sexual gestures, or suggestive or insulting comments;
- inquiries into one's sexual experiences; and
- discussion of one's sexual activities.

**Preventive Steps**

Circulating Mitrata's Anti-sexual Harassment policy at workplace(s)

- Ensuring sexual Harassment as an issue is raised and discussed at Mitrata meetings from time to time
- Conducting in house training on Sexual Harassment, in particular with those involved with responding to complaints and otherwise involved with the implementation of this policy.
- Establishing a complaints committee to respond to Sexual Harassment complaints as mentioned below
- Implementing complaints committee's finding and recommendation.
- Make sure that all managers and supervisors understand their responsibility to provide a harassment-free work environment.
- Ensure that all employees understand the policy and procedures for dealing with harassment - new and long-term employees alike - this involves training, information and education.
- Show you mean it - make sure the policy applies to everyone, including managers and supervisors.
- Promptly investigate and deal with all complaints of harassment.
- Take action to eliminate discriminatory jokes, posters, graffiti, e-mails and photos at the work site.
- Monitor and revise the policy and education/information programs on a regular basis to ensure that it is still effective for your workplace.

## 2. PREVENTION OF SEXUAL HARASSMENT COMMITTEE (POSH COMMITTEE)

The Management of the Company has constituted a separate committee known as "POSH Committee" within the organization, so as to consider and redress complaints of the "Complainant(s) with respect to sexual harassment. The members of the Complaint Committee are as follows:

Sl. No.	Committee Member	Name	Gender (M/F)	Email Id	Phone Number
1	Member of NGO	Ms. Bindiya Rawat	F	<a href="mailto:bindiya.rawat@askindia.org">bindiya.rawat@askindia.org</a>	9910118957
2	Member	Ms. Shalu Gupta	F	<a href="mailto:Shalu.gupta@mitrata.in">Shalu.gupta@mitrata.in</a>	9582515909
3	Member	Mr. Sumit Mittal	M	<a href="mailto:Sumit.mittal@mitrata.in">Sumit.mittal@mitrata.in</a>	9654758222
4.	Member	Mr. Jay Prakash	M	<a href="mailto:Jay.prakash@mitrata.in">Jay.prakash@mitrata.in</a>	9650884059

A quorum of 3 members is required to be present for the proceedings to take place.

### POWER OF COMMITTEE

- Summoning witnesses.
- Enforcing the attendance of any person.
- Examining on oath.
- Requiring the discovery and production of documents.
- And any other matter prescribed under the rules.
- Grant copies of the inquiry report within 10 days after completion of the report.

This policy as well as any update made to this policy shall be available on the Company's intranet/internal circular/notice board from time to time.

#### 2.1 Procedure for dealing with complaints

- For grievances related to sexual harassment and gender-based harassment at the workplace, employees must report harassment by writing to any of the following:
  - [hr@mitrata.in](mailto:hr@mitrata.in)
  - A supervisor
  - HR representative;
  - Members of the Sexual Harassment Complaints Committee.
- For other complaints of unlawful discrimination and harassment at the workplace, employees must contact their supervisor or HR representative and standard disciplinary enquiry proceedings will be initiated.
- Where the accused is a person above the rank of a Senior Vice President or a member of the SHCC, the investigation will be carried out by a neutral external person/ agency appointed by the Head HR in consultation with the Chairperson of the SHCC.
- In accordance with laid down procedures, if the complainant/ aggrieved does not choose the option of conciliation, an enquiry will be conducted. All complaints will be investigated fairly within a period of 90 days, extendable under special circumstances to be considered by the

SHCC. Any misconduct, intentional or otherwise will attract reformatory and disciplinary action, including and up to termination of contract.

- e) Notwithstanding the organization's internal procedure, every employee retains the right to file a complaint of unlawful discrimination and harassment under the law of the land with applicable authorities.
- f) In relevant cases, in accordance with the mandate of the law of the land, the organization retains the right and responsibility to hand over the enquiry or employee to relevant state authorities.

### **3. REDRESSAL PROCESS**

3.1 Any aggrieved employee who feels and is being subjected to any act of Sexual Harassment shall make a complaint in writing to the Complaint Committee. In case where such Complaint cannot be made in writing, the members of the Complaint Committee shall render all reasonable assistance to the Complainant for making the Complaint in writing.

3.2 The Complaint Committee shall maintain a register to endorse the Complaint received by it and shall keep the contents confidential.

3.3 The Committee will hold a meeting with the Complainant within 7 (seven) days of the receipt of the complaint. At the said meeting, the Complaint Committee shall hear the Complainant and record his/her allegations. The Complaint Committee shall also take into record all documents provided by the Complainant with respect to the Complaint.

3.4 The Committee will also hold a meeting with the Respondent within 7 (seven) days of the receipt of the complaint. At the said meeting or in a meeting specifically convened, the Complaint Committee shall afford an opportunity to the Respondent to defend himself/herself against the allegations made by the Complainant. The Complaint Committee shall take into record all documents provided by the Respondent with respect to the Complaint.

3.5 If the Complaint Committee is of the opinion, at the request of the Complaint, that the matter can be resolved through conciliation, the Complaint Committee shall take steps to settle the record via conciliation. If the settlement arrives, then the Complaint Committee shall record the settlement in writing and send the same to the Head – HR with its recommendations. In case the settlement is not arrived at, then Complaint Committee shall proceed with the inquiry.

3.6 On the course of inquiry, if the Complainant or the Respondent desires any witness/es to be called during the inquiry, he/ she shall communicate in writing to the Complaint Committee the names of witness/es, he/ she propose to call.

3.7 The Complaint Committee shall, after hearing all concerned parties and examining all documents and evidences, provide a report of its findings to the Head – HR. Such report shall also be made available to the concerned parties.

3.8 In the event, the Complaint does not fall within the preview of the Sexual Harassment, it shall recommend the Head – HR that no action is required to be taken in the matter. However, in case the Complaint Committee considers that the allegation against the Respondent has been proved, it shall recommend the Head – HR to take action for Sexual Harassment as a misconduct and to take necessary actions against the Respondent as may be required.

3.9 In case the Complaint Committee arrives at a conclusion that the allegation against the Respondent is false or malicious or witness has given false evidence or the Complainant/ witness has produced any forged or misleading document, it may recommend to the Head – HR to take necessary action against the Complainant or the witness, as the case may be.

3.10 Upon receipt of the said recommendation from the Complaint Committee, the Head – HR shall act and shall take all necessary actions as may be required within 60 (sixty) days of its receipt.

#### **4. Action During Pendency of Inquiry**

4.1 During the pendency of the inquiry, the POSH (Prevention Of Sexual Harassment) Committee may, on a written request made by the Aggrieved employee, recommend to the Employer to: 10.1.1 Transfer the Aggrieved employee or the Respondent to any other workplace or 10.1.2 Grant leave to the Aggrieved employee up to a period of three months or 10.1.3 Restrain the Respondent from reporting on the work performance of the Aggrieved employee or writing her confidential report and assign the same to another officer

4.2 The leave granted to the aggrieved employee during the pendency of inquiry shall be in addition to the leave she would be otherwise entitled.

4.3 The Employer shall implement the recommendations of the POSH Committee and send the report of such implementation.

#### **5. Inquiry Report**

5.1 On the completion of the inquiry, the POSH Committee shall provide a report of its findings to the Employer within a period of ten days from the date of completion of the inquiry and such report shall also be made available to the concerned parties. 5.2 In case it is concluded that the allegation against the Respondent has not been proved, the POSH Committee shall recommend to the Employer that no action is required to be taken in the matter.

5.3 Where the Committee has concluded that the allegation against the Respondent has been proved, it shall recommend to the Employer:

5.3.1 To take action for Sexual Harassment as a misconduct, which may include but not be limited to the following actions:

5.3.1.1 written apology

5.3.1.2 warning

5.3.1.3 reprimand or censure

5.3.1.4 withholding of promotion

5.3.1.5 withholding of pay rise or increments

5.3.1.6 counseling session

5.3.1.7 community service

5.3.1.8 terminating the Respondent from employment

5.4 The Employer shall act upon the recommendation of the POSH Committee within sixty days of its receipt by him/her.

## 6, Confidentiality

The contents of the Complaint made by the Complainant in accordance with this Policy, the identity and addresses of the Complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the POSH Committee and the action taken by the Company shall not be published, communicated or made known to the public, press and media in any manner. In case any member of the POSH Committee or any other person, who is being entrusted with the duty to handle or deal with the complaint, inquiry or any action under this Policy, contravenes the said confidentiality provision, he/ she shall be liable for penalty.

## 7. Appeal

Any person aggrieved by the recommendation of POSH may prefer an appeal under the relevant provisions of the Act and Rules.

## 8. Workshops and Training Programs

The Company shall, at regular intervals, undertake workshops and training programs to make employees aware about the provisions defined in this policy.



