



In exercise of the powers of the board of directors conferred by the Articles of Association of the company and pursuant to the guidelines issued by the Reserve Bank of India, the board hereby notifies Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace

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

Policy Name	POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE
Periodicity of review	Annual
Owner / Contact	Compliance
Approver	Board of Directors
Annexures	Format of Compliant Letter

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

This policy (hereinafter “the Policy”) has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the Policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and in the event of any conflict between the Policy and the provisions of the Act, the provisions of the Act shall prevail.

1. Commitment

Vikas Money Limited (hereinafter “the Company”) is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

2. Scope

This policy applies to all categories of employees of the Company all over India, including permanent, management and workmen, temporary, trainee and contracted, at their workplace. This policy proposes a zero-tolerance attitude against any kind of Sexual Harassment or discrimination by any employee during their tenure in the Company towards any women employee of the Company or its Customers, Vendors and Contractors in the workplace.

3. Objective

The objective of this Policy is to create and maintain a safe work environment, free from sexual harassment and discrimination for all its employees as per the guidelines of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013. The Policy lays down the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment, in addition to the matters connected therewith or incidental thereto.

4. Responsibilities Regarding Sexual Harassment

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

5. Applicability

This Policy is known as **Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace** and is applicable to all employees of Vikas Money Limited (and / or others coming under the Provisions of the Act), at all locations.

6. Words, Expressions & Abbreviations

In this policy document, unless there is anything repugnant to the subject or context thereof, the words and expressions as stated below shall have the following meaning: -

- a) CE – Complainant Employee – Refers to any woman employee (as per section 2(a) of the Act) who has lodged a complaint of sexual harassment at workplace by another employee (hereinafter referred to as 'respondent').
- b) ICC – Internal Complaints Committee.
- c) Management– Management includes the person or board or committee responsible for formulation and administration of policies for the Company.
- d) RE – Respondent Employee - Refers to any employee against whom the complaint for sexual harassment has been lodged.
- e) Workplace – Includes all offices, branches and workplace of the Company located anywhere in India. It also includes any places visited by the employees arising out or during the course of employment including transportation approved by the management of the establishment for undertaking the journey.

7. Legal Background

The Parliament of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 to lay down mechanisms for prevention of sexual harassment and redressal of Complaints, beside matters connected therewith or incidental thereto. This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013".

8. Policy Guidelines

Sexual harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. To promote the well-being of all women employees at the workplace, this Policy envisages as under: -

- a) It shall be the duty of Management of the establishment to prevent or deter the commission of any act of sexual harassment at the workplace.
- b) Sexual harassment will be considered as misconduct and action will be taken based on the findings of enquiry in this context.
- c) The definition of sexual harassment is as per Section 2 (n) of the Act and which includes: -

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: -

- (1). Physical contact and advances; or
 - (2). A demand or request for sexual favours; or
 - (3). Making sexually coloured remarks; or
 - (4). Showing pornography; or
 - (5). Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- d) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour is deemed sexual harassment: -
- (1). Implied or explicit promise of preferential treatment in her employment; or
 - (2). Implied or explicit threat of detrimental treatment in her employment; or
 - (3). Implicit or explicit threat about her present or future employment status; or
 - (4). Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - (5). Humiliating treatment likely to affect her health or safety.

9. Constitution of Internal Complaints Committee (hereinafter referred to as ICC)

The Company has constituted an Internal Complaints Committee (ICC) in accordance with section 4 of the Act for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

The name of the committee members of ICC and changes therein will be notified from time to time.

10. Procedure for filing a complaint

Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to ICC giving details of the sexual harassment meted out to her within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension, in the opinion of the Internal Complaints Committee. The complaint by an aggrieved woman shall be made to the ICC in writing and be sent either by post or e-mail on the id posh@vikasmoney.com or given in person to the ICC or any person authorized by ICC.

The ICC may, giving reasons to be recorded in writing, extend the time limit not exceeding 3 months, if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the set period. Where the employee is unable to make complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may register the complaint.

It is however, pertinent to state that where the aggrieved woman is unable to make complaint on account of her physical incapacity a complaint may be filed by:

- a) Her relative or friend; or
- b) Co-worker; or
- 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 woman.

Where the aggrieved woman is unable to make complaint in case of 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; or
- d) A guardian or authority under whose care she is receiving treatment or care;
or
- e) Any person who has knowledge about the incident jointly with her relative or friend.

Note:

- a) Where the aggrieved woman is unable to make a complaint for any other reason, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
- b) Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

11. Procedure to be followed post receipt of complaint

- a) The committee will go through the complaint and evaluate if there is or not prima- facie case of sexual harassment. While doing that, the ICC will keep in mind that the CE is not subjected to enquiry for more than once. However, if the complaint complexity requires that the CE is to be called more than once for the enquiry, then the utmost sensitivity would be displayed, and adequate precaution would be taken to ensure there is no loss of dignity to CE.
- b) The ICC will initiate a detailed enquiry as deemed fit.
- c) The ICC may, before initiating an enquiry and at the request of CE, take steps to settle the matter between her and the RE through conciliation, provided that no monetary settlement shall be made as a basis for conciliation. Where a settlement has been arrived during conciliation, the ICC shall record the settlement and forward to the Management for ensuring action as recorded under the settlement. The copies of the settlement as recorded shall be provided to both the parties. However, if the terms arrived during conciliation have not been complied with by the RE, the ICC shall proceed to make an enquiry into the complaint.
- d) The ICC shall after complete the enquiry, submit its recommendations to the Management with recommendations of the penalty to be imposed.
- e) In case no settlement is arrived the ICC, shall, where the Respondent is an employee, proceed to make enquiry into the complaint in accordance with the provisions of the service rules.
- f) Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and the copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.
- g) The submission of the recommendations by the ICC to the Management shall be completed within a period of ninety (90) days from the date of receipt of complaint by the ICC.
- h) The HR Department will extend full cooperation in facilitating to conduct the proceedings by the ICC.

Important: For the purpose of making an inquiry under the Act, the Internal Complaints Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:

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

12. Guidelines to be kept in mind by ICC while recommending action

- a) To conduct the inquiry as per the principles of natural justice and in a confidential manner;
- b) In cases where the ICC has recommended to Management for compensation to be made to the CE, then the said amount shall be deducted from the salary of the RE and paid to the CE or her legal heir/s;
- c) In case the employer is unable to deduct from the salary, then he RE may be directed to pay such sum to the CE and if RE fails to pay the sum referred as above, the ICC may forward the order for recovery as an arrear of land revenue to the concerned District Officer and such District Officer shall act within 60 days of receipt by him.

13. Employer (Management of the establishment) to ensure

- a) That in case there is a complaint against any of the ICC members, Management will have to reconstitute the ICC by removing from the ICC the member against whom there is complaint. In all cases, guidelines as defined by the above clauses would be exclusive of the time taken to reconstitute the said committee.
- b) The Management will provide assistance to the CE if she so chooses to file a police complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
- c) The Management will also initiate action under the Indian Penal Code or any other law for the time being in force, against a perpetrator who is not an employee of the Establishment and there is complaint of Sexual Harassment against the said perpetrator in the workplace.

- d) The ICC will submit an annual report to the Management as outlined in the Act and the Management shall record the requisite information in the Company's Annual Report in the applicable format.
- e) The Management will assist in ensuring the attendance of the RE and witnesses before the ICC as the case may be.
- f) The Management will monitor the timely submission of the reports. For this the Management will conduct periodic update meetings with the ICC and the HR dept. to ensure that the said policy is being implemented in letter and spirit.

14. Appeal by the aggrieved person

Any person aggrieved by any of the following may file an Appeal to the Managing Director of the Company (MD) or an official authorized by him against:

- (i) the finding of the ICC that the allegations against the respondent has not been proved during the enquiry, or
- (ii) if the Management fails to take action on a complaint under the Act, or
- (iii) if the Management fails to implement the decisions based on the recommendations of the ICC,
- (iv) if the Management fails to recover from the RE the amount determined to be payable to the aggrieved employee or legal heir, or
- (v) if the ICC arrived at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading document, or
- (vi) when persons entrusted with the duty to handle or deal with the complaint, the enquiry or recommendations, publish the contents of the complaint and the enquiry proceedings in contravention of Sec 16 of the Act. In case the aggrieved employee is not still satisfied by the outcome of the Appeal, he / she may proceed with legal action as provided under the Act or generally.

15. Awareness

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. 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.

16. False Accusations

The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by the Company. However, there shall be zero tolerance for any false accusation. If the Internal Complaints Committee 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, the Internal Complaints Committee may recommend action to be taken against the person who has made the complaint. 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 Internal Complaints Committee concludes has given false evidence or produced forged or misleading documents.

17. Miscellaneous

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 employees.

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.

18. 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 the Company shall be final and binding on all. However, the same is without prejudice to any recourse that the Company or any individual concerned may have against any other concerned person and it shall not limit or restrict the rights of any of the concerned persons

including the Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

Note:

The policy will be overall governed by "The Sexual Harassment of Women at the Workplace (Prevention and Redressal) Act, 2013". The copy of the Act is available at our Corporate HR office. A format of the complaint is annexed which can be used for preparing complaint.

Annexure

Format of Complaint regarding sexual harassment at workplace

To,
Internal Complaints Committee,
Vikas Money Limited
13/1528, FIRST FLOOR,
ANJALI COMPLEX KAVUVATTOM, Palakkad, CHERPULASSERY, Kerala, India, 679503

Madam,
I am working as a__at__in the establishment. I am constrained to make a complaint of sexual harassment against_(full name, designation, place of work)

ADD THE DETAILS OF THE INCIDENT.

I am making the above complaint for appropriate action as contemplated under "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder, and the Company's policy framed thereunder.

Dated this the_____day of_____

Yours' Faithfully
Signature
Name

Name, Status (Relationship) and
address of the Complainant.

BY THE ORDER OF THE BOARD
For Vikas Money Limited

Managing Director

CC:

1. Legal Department
 2. Administration Department
 3. HR Department
-

Dated this the 01st Day of April, 2023

ICC – COMMITTEE MEMBERS

Sl. No.	Name	Designation	Position in the Committee	Contact Details
1.	PILAVAZHI SANTHAKUMARI	Whole-time director	Presiding Officer	
2.	AYANAPARA PRADEEPMENON	Managing Director	Member and Convener	
3.	SATHEESH	Director	Member	
4.	RAJITHA VALAYANGAT	Whole-time director	Member	
5.	SURYA MENON	Director	Member	
6.	LATHA	General Manager	Member	
7.	VIJU VINCENT	-	Member (External)	