

SAVE Financial Services Private Limited

Policy on Prevention, Prohibition & Redressal of Sexual Harassment at Workplace (POSH)

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Policy Name	Document Id	SAVE/POL/HR/POSH/5
Policy on Prevention, Prohibition & Redressal of Sexual Harassment at workplace (POSH)	Version No.	6.0
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1. PREAMBLE

- A. Sexual harassment has come to be widely condemned as a form of human rights violation, an infringement on life and liberty and a grave form of gender-based discrimination. Such behaviour is an affront to dignity, gender equality and fundamental rights.
- B. The Supreme Court of India, in a landmark judgment in August 1997 (Vishaka & others vs. the State of Rajasthan & others) stated that every instance of sexual harassment is a violation of “Fundamental Rights” under Articles 14, 15, and 21 of the Constitution of India, and amounts to a violation of the “Right to Freedom” under Article 19 (1)(g). The Supreme Court further reiterated that sexual harassment “is a violation of the fundamental right to gender equality and the right to life and liberty”.
- C. Sexual Harassment is an offence under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the POSH Act).
- Section 2(o) of the Act defines that a “workplace” includes, “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, distribution or service.”
 - Under Section 3(1) of the Act no woman shall be subjected to sexual harassment at workplace.
 - Under Section 4(1) of the Act every employer of a workplace should, by an order in writing, constitute a Committee to be known as the “Internal Complaints Committee (IC)/POSH Committee”.
 - Under Section 19 of the Act every employer must work towards building a safe working environment at the workplace including safety from the persons coming into contact at the workplace.
- D. SAVE Financial Services Private Limited is committed in the mega endeavor of protection and safeguard of the above-mentioned human rights of all those who fall within its jurisdiction. Therefore, this 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 there under (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 the provisions of the Act shall prevail.
- E. Sexual harassment at the workplace will be treated as a misconduct under service rules and unlawful, irrespective of whosoever is involved.

2. OBJECTIVE

SAVE Financial Services Private Limited believes that sexual harassment is a form of misconduct & undermines the integrity of the employment relationship. All Team Members have the right to work in an environment that is free from any form of sexual harassment irrespective of their gender, caste, colour, religion, disability. Anyone engaging in such conduct will be subject to discipline that may range from a warning to dismissal. The objective of this policy is to create a gender sensitive and congenial working atmosphere in the organization.



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3. FOR WOMEN EMPLOYEES

SAVE Financial Services Private Limited has been promoting the hiring of women, to provide equal rights to women, same as men. Treating women in a good way and giving them equal rights is one of the positive signs towards the healthy growth of a country.

Giving recognition to women and helping them in each aspect is very important for the survival of women and girls. These rights are now institutionalized and supported by law, local and custom. Women rights today are assured by law, because women need to be solid and backed-up by law, so that they don't get hard-pressed around. Any act that compromises the dignity and honour of a woman amounts to harassment.

4. DEFINITIONS:

Aggrieved Person:

In relation to a workplace, any employee of any gender or age whether employed or not, who alleges to have been subjected to any act of harassment by the respondent.

Internal Complaints Committee

A committee constituted by the Company as per this Policy.

Respondent:

A person against whom the complaint has been made.

Sexual Harassment:

Sexual harassment may be one or a series of incidents, involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature (whether directly or indirectly).

Sexual harassment at the workplace includes:

- Verbal or physical conduct of a sexual nature, either explicitly or implicitly, in return for a team or condition of instruction, employment, participation or evaluation of a person's engagement in any Company activity.
- Demand or request for sexual favours,
- Any other type of sexually-oriented conduct,
- Stalking
- Showing pornography,
- Verbal abuse or 'joking' that is sex-oriented,
- Any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment by one in position of power or influence constituting quid pro quo when submission by an individual is made either in explicit or implicit terms or condition of employment or submission to or rejection



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of such conduct is used as the basis for employment decisions affecting that women employee such as promotion and pay rise.

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, sex, national origin, caste / religion, disability, pregnancy, age or marital status is also prohibited from either sex towards either sex.

Further, where any comments, acts or conduct is committed against a person; such a person has a reasonable apprehension.

- It can be humiliating and may constitute and or a safety problem.
- It is discriminatory, as for instance, when the person has reasonable grounds to believe that any objection would be a disadvantage in connection with the employee or promotion or advancement or when it creates a hostile environment, or;
- It would result in adverse consequences if the person does not consent to the conduct and raises any objection, shall be deemed as Sexual Harassment.

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favours, and other verbal sexually oriented conduct or insinuations which are offensive or objectionable to the recipient, including, but not limited to: epithet, derogatory or suggestive comments, slurs or gestures and offensive posters, cartoons, pictures, jokes or drawings.

Note:

- The definition of sexual harassment will also apply to any member of a third party or outsider in relation to a woman employee of the Company or vice versa on the premises of Company.
- Any of the acts mentioned above, committed in circumstances wherein the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work, such conduct can be humiliating or may constitute to a health and safety problem, the same will tantamount to sexual harassment.

Any complaint by an employee, is punishable by law and SAVE Financial Services Private Limited takes such matters very seriously.

While our workplace is usually secure from such advances, the outside world is not. Keeping in line with the series of unfortunate events in our immediate environment, we feel it is essential to apprise all the team members of their rights in SAVE Financial Services Private Limited for their knowledge, support and participation. It is imperative to be aware and hence, be able to take the correct line of defence when needed.

5. APPLICABILITY

This policy is applicable to all probationary, permanent, retainers and outsourced Team Members in the organization.

6. Obligation to the company:

The Company shall be responsible, among others, for the following:

- Prohibit, prevent and deter commission of acts of sexual harassment;



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- Implement the Policy in strict alignment, thus creating a favourable environment.
- Spread awareness of the Policy amongst its employees by providing easy access to the policy through publication, notification and circulation of the same
- Sensitizing employees about workplace harassment issues
- Provide fair and impartial procedures for resolution, settlement or prosecution of acts of workplace harassment by taking all necessary steps
- Implementation of recommendations of the Anti-Workplace Harassment Committee.

It will be the responsibility of the Human Resource function to get an understanding of the issues raised and counsel the Complainant as well as the accused and make them aware of all implications of filing/ not filing a complaint formally.

In a scenario, wherein the Company / Committee becomes aware of commission of an act(s) of sexual harassment, the Company shall have the right to initiate suo moto action, even in the absence of a formal complaint being submitted by aggrieved women employee.

7. WHAT IS NOT A SEXUAL HARASSMENT

Sexual Harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behaviour that is not welcome, that is personally offensive, that debilitates morale, and that therefore interferes with work effectiveness.

8. REDRESSAL OF GRIEVANCE

All the complaints would be dealt by a committee constituted for the purpose. The committee would examine the merit of every complaint lodged and would take a decision to probe further. Every chance would be given to the complainant to freely express the issues at hand.

The committee should identify the ways and possible means of sexual harassment in each office and try to correct that.

Any aggrieved individual or group of individuals can submit a written complaint in strict confidence to any notified member of this committee. This complaint should be delivered through email, in person or sent by courier or by post to the notified member of the committee. This complaint should be lodged within a maximum period of **3 months** of the event. To the extent possible, your confidentiality and that of any witness and the alleged harasser will be protected against unnecessary disclosure.

Any issue / complaint related to or qualifying the definition of 'Sexual Harassment' as accepted by SAVE Financial Services Private Limited, can be referred to the committee. The committee would meet to discuss any specific complaint or to enquire about the same. The chairperson of the committee has the discretion to convene a meeting of the committee if he/she so desires for discussing any other issue. A separate file shall be maintained by the committee for each complaint and another one for minutes of each committee meeting and related papers. Other files as required may be maintained as decided by the committee:

- For the convenience and at the discretion of the aggrieved party, the complaint can be lodged in writing to the Group Head HR/MD or the Presiding Officer of the Internal Complaints Committee.
- Any complaint lodged would be acknowledged within 5 working days of the lodged date by the MD/Group HR/Presiding Officer of the committee and would also be informed of the remedial action to be taken or the enquiry to be done.



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- The affected individual would be informed of the composition of the committee and schedule to address the issue/complaint.
- The complainant would be protected of his / her normal working facilities and it would be seen that there would be no discrimination against him / her during any appraisal or allotment of work.
- When the offence amounts to misconduct under the service rules, appropriate disciplinary action, up-to and including termination would be initiated.
- The company prohibits any form of retaliation against Team Members 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 disciplinary action, up-to and including termination.
- When such conduct amounts to an offence under the Indian Penal Code, the employer shall initiate action by making a complaint with the appropriate authority.
- The victims of sexual harassment would have the option to seek transfer of the perpetrator or their own transfer.

9. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

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

10. COMPLAINTS MECHANISM

An appropriate complaint mechanism in the form of “Internal Complaints Committee/ POSH Committee” has been created in the company for time-bound Redressal of the complaint made by the victim.

11. INTERNAL COMPLAINTS COMMITTEE/POSH COMMITTEE

The Company has instituted an Internal Complaint Committee/POSH Committee for Redressal of sexual harassment complaint and for ensuring time bound treatment of such complaints. Following are the members of the Internal Complaint Committee/POSH Committee:

- **For SFSPL**

Name of Member	Function	Designation	Official mail ID	Contact No.	Address
Ms. Aditi Mittal	Presiding Officer	Group Head- HR	aditi.mittal@saveind.in	9999300402	Corporate Office Delhi
Ms. Hema Pandey	Member	Assistant Manager	hema.panday@saveind.in	9718631697	Corporate Office Delhi
Mr. Vishal Bhan	Member	VP – Sales and Collection	vpsales.sfspl@saveind.in	9818682494	Corporate Office Delhi
Mr. Ashwini Kumar Sinha	Member	Zonal Head	ashwini.sinha@Saveind.in	9262696995	Gaya
Ms. Radhika Kumari	Member	Assistant Manager	cpa.gaya@saveind.in	9097668255	Gaya
Ms. Devika Singh	Member from NGO	-	devika.singh@cohereconsultants.com	9818960361	-



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12. Email id for Complaint: Posh@saveind.in

13. INTERNAL COMPLAINTS COMMITTEE/POSH COMMITTEE ROTATION

Each member to hold office for 3 yrs. from nomination. Except for the Presiding Officer, every Member of the Internal Complaint Committee/POSH Committee shall hold Office for such period, not exceeding three years, from the date of their nomination.

14. IC/POSH Committee TERMINATION

- Violation of Section 16 of the Act — Breach of Confidentiality.
 - Convicted of offence or inquiry in the offence under any law is pending against him/her.
 - Found guilty in disciplinary proceedings or disciplinary proceedings pending against him/her.
 - Has abused his/her position as to render continuance in office prejudicial to public interest.
- If the aggrieved person complaints against any of the IC member or PO, then the same will be replaced within 3 working days of the complaint received and shall not be part of the investigation as an IC member. Any vacancy is to be filled in by fresh nomination.

15. MODE OF INITIATING COMPLAINT:

The Complainant or person authorized on their behalf may make a complaint to the Presiding Officer of Internal Complaints Committee along with supporting documents and names and address of witnesses in the form of letter sent in a sealed envelope. Also, the aggrieved person may send complaint through an email. The employee is required to disclose their name, department, division and location he/she is working in.

16. THE INTERNAL COMPLAINT COMMITTEE IS RESPONSIBLE FOR:

- Initiating conciliation on request of aggrieved person, provided that no monetary settlement shall be made as a basis of conciliation.
- Maintaining the confidentiality regarding contents of the complaint, identity and address of the aggrieved person, respondent and witness, any information relating to conciliation and inquiry proceedings, recommendations, action, conciliation or any other information related to the complaint. None shall be published, communicated or made known to public, press and media
- Receiving complaints of sexual harassment at the workplace.
- Reviewing the complainant's complaint in fair and objective manner.
- Determining the facts of the case with the individuals concerned and the witness, if any, and prepare a report.
- Initiating and conducting inquiry as per the established procedure.
- Submitting findings and recommendations of inquiries.
- Coordinating with the MD and HR in implementing appropriate actions.
- Maintaining strict confidentiality throughout the process as per established guidelines.
- Submitting annual reports in the prescribed format to MD.
- Creating awareness against sexual harassment and dealing with and punishing acts of sexual harassment.



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- Being bound in the principle of natural justice and unbiased in their evaluation
- Submission of reports by the IC to the MD
- Providing assistance to the aggrieved person, if they so choose to file a complaint in relation to the offences under IPC.
- Submitting annual report to the concerned authorities in the state, as per provisions of the POSH Act.
- Providing support in the court case if required.
- Where the Internal Complaints Committee/POSH Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken in the matter.
- Where the Internal Complaints Committee/POSH Committee arrives at a conclusion that the allegation against the Respondent is malicious, or the Aggrieved person or any other person making the complaint has made the complaint knowing it to be false; or the Aggrieved person or any other person making the complaint has produced any forged or misleading document; it may recommend to the Employer to take action against the Complainant in accordance with the provisions of the applicable service rules or where no such service rules exist, in such manner as may be prescribed. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.

17. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

- **Informal resolution options:** When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.
- **Complaints:** An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Internal Complaints Committee/POSH committee constituted by the management. The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of the occurrence of the alleged incident, sent in a sealed envelope. Alternatively, the employee can send complaint through an email. The employee is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.
- The Internal Complaints Committee/POSH committee (Sexual Harassment Complaint Committee) will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.
- In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the presiding officer will record this finding with reasons and communicate the same to the complainant.



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- If the presiding officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/she will proceed to investigate the allegation with the assistance of the Complaints Committee.
- Where such conduct, on the part of accused, amounts to a specific offence under the law, the company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- The Complaint Committee shall conduct such investigation in a timely manner and shall submit a written report containing the findings and recommendations to the Director as soon as practically possible and in any case, not later than 90 days from the date of receipt of the Complaints Committee and keep the complainant informed of the same.
- **Corrective action may include any of the following:**
 - Formal written apology
 - Counselling
 - Written warning to the perpetrator and a copy of it maintained in the employee's file.
 - Change of work assignment/ transfer for either the perpetrator or the victim.
 - Suspension or termination of services of the employee found guilty of the offence.
 - In case the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the management.
 - Criminal Proceedings: In case the act under sexual harassment amounts to a specific offence under the Indian Penal Code, 1860 or under any other applicable law, the Management shall initiate appropriate action, in accordance with law, by making a complaint with the appropriate authority.

18. CONFIDENTIALITY

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

It is also informed to every Member, employee (Active or Resigned) to not to disclose anything related to any POSH case to any outsider through social media or any medium. If anyone found in breach of the confidentiality has to face implications as fixed by the Management.

19. ACCESS TO REPORT AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the company except where disclosure is required under disciplinary or other remedial processes.

20. PROTECTION TO COMPLAINANT/VICTIM

The following will be obligations of the Company, during the processing / investigation of the Complaint:



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- In the event the Accused is the Complainant's Reporting Manager / senior, the Company will review the possibility of relocating the complainant employee within the Company and ensure that the Complainant is not being evaluated by the Accused
- Ensure that any sort of retaliation against the Complainant or witnesses is strictly prohibited. Any act of reprisal, including internal interference, coercion and restraint, by the Accused, whether directly or indirectly, will result in appropriate action against the Accused by the Committee in consultation with the Management;
- In case the Accused is a third party interacting with the Company, such Accused shall not be allowed to enter the Company premises except for the purpose of attending any meeting / interaction as and when required by the Committee

Post conclusion of the investigations of the Complaint, the Company will observe the following:

- If the Accused is found to be guilty, the Accused shall not write the evaluation / reports of the Complainant, if he / she is otherwise authorized to do so
- In case the Accused is a third party interacting with the Company, and found to be guilty, the Accused may not be allowed to enter the Company premises.
- In the event, the Committee after investigation of a Complaint in accordance with the procedure prescribed herein, concludes that the Complaint was false and made with malafide intention by the Complainant, then the Committee shall take such appropriate measures, in consultation with the Management, against the Complainant, as it may deem necessary.

21. MONITORING MECHANISM UNDER LAW

- Submission of Annual Report (To be submitted in December ever year basis to District Officer)-Rule 14
- Inspection — Sec. 25
- Make available any information, records or document including physical inspection of workplace
- Reporting in the Annual Report as per Sec 22 of the Prevention of Sexual Harassment at Workplace (Prevention, Prohibition & Redressal) Act, 2013.

22. PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:

If the Internal Complaint Committee arrives at a conclusion that the allegation was made with malicious intent or the aggrieved employee 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 Complaint Committee may recommend action to the employer 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 Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading documents.



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23. Exceptions

There are no exceptions to this policy.

24. Contact

All queries and clarifications on the policy and procedures may be referred to the Human Resources Team of the Company

25. Modifications and Review of the Policy

The Committee reserves the right to modify and/ or review the provisions of this Policy, so as to comply with applicable legal requirements, internal policies, or with a view to align / alter the provisions of the policy to the extent deemed necessary by Committee from time to time.
