


**ANTI- SEXUAL HARASSMENT POLICY**  
**OF**  
**NAVI FINSERV PRIVATE LIMITED**  
(Formerly Known as Chaitanya Rural Intermediation Development Services Private Limited)



Version No	ASHP/3.0/2020-21
Originally adopted Date of Policy	21 <sup>st</sup> August 2018
Amended/Modified Date of Policy	24 <sup>th</sup> August 2020
Policy owner	ICC Committee
Approved by	Board of Directors
Signature	

Reference: *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*

## ANTI- SEXUAL HARASSMENT POLICY

Navi Finserv Private Limited is an equal employment opportunity company and is committed to creating a healthy working environment free of intimidation and free from sexual harassment 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.

### Objective:

1. To foster a professional, open and trusting workplace.
2. To promote a productive work environment
3. Not to tolerate verbal or physical conduct of a sexual nature by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.

Harassment that is unchecked has the potential to hurt the Company's operations through decreased productivity and / or increased employee turnover. The Company encourages any employee who feels they have been harassed to contact their Managers or Internal Committee (IC) Members. The Company recognizes that comments and behaviour which do not offend one person can offend another. The management accepts that individuals may react differently and expects this right to be generally respected.

### Background:

The issue of sexual harassment at the work place has become an extremely important factor which needs to be addressed strictly in accordance with law and besets the precedence. It is paramount to safeguard employees against any harassment, eve teasing, sexual related overtures, display of pornographic literature and photographs and using conversational language which results in enforcement, insult or harassment at the workplace.

The policy is formulated to comply with applicable federal, state and local laws, rules and regulations in the area of non-discrimination and harassment of employment. All complaints of sexual harassment will be treated seriously and promptly, with due regard to confidentiality. Disciplinary action will be taken against any employee who breaches the policy.

Sexual harassment is an unacceptable form of action or misconduct which will not be tolerated under any circumstances. Sexual harassment at the work place or other than work place, if involving employees, is a grave offence and is, therefore, punishable.

The Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

### Reference:

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

## Scope

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

Sexual harassment would mean and include any of the following:

- i) unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- ii) unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance;
- iii) eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- iv) act or conduct by a person in authority which creates an environment at the workplace that is hostile or intimidating to a person belonging to the other sex;
- v) conduct of such an act at workplace or outside in relation to an Employee;
- vi) any unwelcome gesture by an employee having sexual overtones

## Definitions:

As per **Rule 2** of the referred act,

**Sub Rule (a): Aggrieved Person** means

- i) in relation to a workplace, a Person, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
- ii) in relation to a dwelling place or house, a Person of any age who is employed in such a dwelling place or house

**Sub Rule (f): "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 for 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

**Sub Rule (n): "Sexual Harassment"** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: -

- i) Physical contact and advances; or
- ii) a demand or request for sexual favors; or

- iii) Making Sexually colored remarks: or
- iv) Showing pornography: or
- v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

**Sub Rule (o): “Workplace” includes –**

- i) 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, entertainment, entertaining or entertainment-oriented, industrial, health services or financial activities including production, supply, sale, distribution or service;
- ii) 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;

**Responsibility of employees:**

Every employee has a responsibility to:

- a. comply with the organization’s prevention of Sexual harassment policy;
- b. offer support to anyone who is being harassed and let them know where they can get help and advice (they should not approach the harasser themselves);
- c. maintain complete confidentiality if they provide information during the investigation of a complaint (employees who spread gossip or rumours may expose themselves to defamation action)

**Consequence of Violation of the policy:**

Any employee, supervisor or manager who is found to have violated the Sexual harassment policy will be subject to appropriate disciplinary action, up to and including termination. The Company prohibits any form of retaliation against employees 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 appropriate disciplinary action, up to and including termination.

**Prevention of Sexual Harassment:**

No person shall be subjected to sexual harassment at workplace. The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment.

- (i) implied or explicit promise of preferential treatment in his/her employment; or
- (ii) implied or explicit threat of detrimental treatment in his/ her employment; or
- (iii) implied or explicit threat about his/ her present or future employment status; or
- (iv) interference with his/ her work or creating an intimidating or offensive or hostile work environment for his/her; or
- (v) humiliating treatment likely to affect his/ her health and safety.

Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the displaying of offensive material or other behaviour which creates a sexually tense or hostile or offensive working environment. Sexual harassment is not just unlawful during working hours or in the workplace itself. The behaviour is unlawful in any work-related context, including conferences, work functions, business or field trips, transportation and interactions with clients. Any offensive conduct directed at individuals because of their race, caste, creed, religion, physical disability, family background, pregnancy or age is also prohibited.

**Constitution of Internal Complaints Committee:**

M/s Navi Finserv Private Limited recognizes issues connected to sexual harassment at the workplace and pledge to prohibit all such issues through an Internal committee comprising of 4 Members.

SL No	Name	Designation	Location	Email Id	Contact No
1	Shikha Gupta	Presiding Officer	Bangalore	shikha.gupta@navi.com	+91 8792823034
2	Stanley Wilson	Member	Bangalore	stanley.wilson@navi.com	+91 9513440438
3	Vinutha J	Member	Bangalore	<a href="mailto:vinutha.j@navi.com">vinutha.j@navi.com</a>	+91 9513477314
4	Usha Shetty	External Member	Bangalore	suraj.usha@gmail.com	+91 9620226202

An Internal Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment.

**Duration of Office:**

The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

**Meetings:**

The committee shall meet once in every quarter even if there are no complaints. In case there is any complaint, the committee shall meet within five days from the receipt of the Complaint.

**Quorum:**

A quorum of 3 members is required to be present for the meetings to take place. However, in case of any proceedings on complaint, the presence of the external member is a must.

**Complaint:**

A complainant may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

Where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing.

The Internal Committee may for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.

Where the aggrieved person is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise, his/her legal heir or such other person as may be prescribed may make a complaint.

The Committee shall maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

The Committee shall hold a meeting with the complainant within five days of the receipt of the complaint, but no later than a week in any case.

At the first meeting, the Committee members shall hear the complainant and record his/her allegations. The complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint.

Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to the person to give an explanation, where after, an "Enquiry" shall be conducted and concluded.

In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment; the same would be dropped after recording the reasons thereof.

**False or malicious Complaint / False evidence:**

Where the Internal 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 complainant 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 person who has made the complaint in accordance with the provisions of the service rules applicable to the person or where no such service rules exist, in such manner as may be prescribed:

Further the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. Where the Internal Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the

service rules applicable to the said witness or where no such service rules exist, in such manner as may be prescribed.

**Conciliation:**

The Internal Committee may, before initiating an inquiry and at the request of the aggrieved person take steps to settle the matter between his/her and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

Where a settlement has been arrived as mentioned above, the Internal Committee shall record the settlement so arrived and forward the same to the employer or the District Officer to take action as specified in the recommendation.

The Internal Committee shall provide the copies of the settlement as recorded to the aggrieved person and the respondent.

Where a settlement is arrived, no further inquiry shall be conducted by the Internal Committee.

**Inquiry into a Complaint:**

The Internal Committee shall proceed to make inquiry into the complaint in accordance with the provisions of the service rules where the respondent is an employee.

Where the complainant informs the Internal Committee that any term or condition of the settlement arrived at under Conciliation (mentioned above) has not been complied with by the respondent, the Internal Committee shall proceed to make an inquiry into the complaint.

The Committee shall communicate that the enquiry would be conducted to the aggrieved person and person against whom complaint is made.

The Committee shall prepare and hand over the Statement of allegation/s to the person against whom complaint is made and give him / her opportunity to submit a written explanation if he / she so desires within 7 days of receipt of the same.

The complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

If the complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.

If the complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

The Committee shall call upon all witnesses mentioned by both the parties.

The Committee shall provide every reasonable opportunity to the complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

Further when both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

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

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

The inquiry into the complaint shall be completed within a period of ninety days.

#### **Investigating a Complaint:**

When investigating a complaint, the Committee should follow the procedure below:

- a) both the parties should be told to avoid contact with one another and ways to minimize contact should be implemented
- b) interview all directly concerned, separately
- c) witness should be told as little as possible about the details of complaint in order to reduce the company's exposure to later claims of defamation
- d) Recognize that there might be no eyewitnesses. Such cases need to be resolved based on the credibility of the parties
- e) interview witnesses, separately
- f) keep records of interviews and investigation
- g) do not assume guilt, be objective and non-judgmental
- h) interview the alleged harasser, separately and confidentially
- i) let the alleged harasser know exactly what he/she is being accused of
- j) give him/her a chance to respond to the accusation
- k) listen carefully and record details
- l) make it clear he/she does not have to answer any questions
- m) ensure confidentiality, minimize disclosure
- n) encourage the complainant to report any further incidents of harassment or retaliation
- o) determine appropriate action based on investigation and evidence collected
- p) check to ensure the action meets the needs of the complainant and Company

**During the pendency of an inquiry,** on a written request made by the complainant, the Internal Committee may recommend to the employer to:-

- a. transfer the complainant or the respondent to any other workplace; or
- b. grant leave to the complainant up to a period of three months (The leave granted to the



complainant shall be in addition to the leave she would be otherwise entitled); or  
c. Grant such other relief to the complainant as may be prescribed.

On the recommendation of the Internal Committee, the employer shall implement the recommendations made and send the report of such implementation to the Internal Committee.

The Committee shall complete the "Enquiry" within reasonable period but not beyond three months.

**On the completion of an inquiry**, the Internal 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 be made available to the concerned parties.

Where the Internal 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 Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer: -

- i. To take action for sexual harassment as misconduct in accordance with the provisions of the service rules applicable to the respondent.
- ii. To deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the complainant or to his/her legal heirs, as it may determine as compensation.

If the employer is unable to make such deduction from the salary of the respondent due to the person being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the complainant:

In case the respondent fails to pay the compensation referred above, the Internal Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

The employer shall act upon the recommendation within sixty days of its receipt.

**Documentation:**

A copy of the final report, notes of meetings and interviews, evidence and documentation relating to any action taken as a result of an investigation will be retained by the Internal Committee. These records should not be placed on personnel files unless the Complaint results in disciplinary action against one or more of the parties involved in the Complaint, in which case any appropriate records may be placed on the disciplined Employee's file.

**Submission of reports to the Board:**

Internal Committee has to submit the summary of the incident reports with its recommendations to the Board to take suitable actions and avoid such incidents in the future.

### **Compensation:**

For the purpose of determining the sums to be paid to the complainant the Internal Committee shall take into consideration: -

- a) the mental trauma, pain, suffering and emotional distress caused to the complainant;
- b) the loss in the career opportunity due to the incident of sexual harassment;
- c) medical expenses incurred by the victim for physical or psychiatric treatment;
- d) the income and financial status of the respondent;
- e) Feasibility of such payment in lump sum or in instalments.

### **Potential Outcomes:**

If the complaint is found to be justified, the complainant may be entitled to any or all of the following:

The complainant may receive:

- a) commitment from the harasser that the behaviour will cease
- b) private apology (verbal or written) from the harasser
- c) re-credit of any leave taken due to the harassment
- d) payment of medical and counselling expenses, subject to submission of bills
- e) transfer, with no job disadvantage
- f) Other compensation as decided by the Internal Committee.

### **Non-Disclosure:**

Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made, the identity and addresses of the complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the employer under the provisions of the referred Act shall not be published, communicated or made known to the public, press and media in any manner:

However, information may be disseminated regarding the justice secured to any victim of sexual harassment under the above referred Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the complainant and witnesses.

### **Penalty for Disclosure:**

Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of the referred Act, contravenes the provisions of the Act, the person shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

### **Appeal:**

Any person aggrieved from the recommendations made in the inquiry report or non-implementation of such recommendations may prefer an appeal to the Deputy Labour Commissioner in accordance with the provisions of the service rules applicable to the said person or where no such service rules

exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

However, the appeal should be preferred within a period of ninety days of the recommendations.

**Duties of the Employer:**

Navi Finserv Private Limited shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy. It shall:-

- a. provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b. Display at any conspicuous place in the workplace, the penal consequences of sexual harassment; and the order constituting the Internal Committee.
- c. organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the internal Committee in the manner as may be prescribed;
- d. provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry;
- e. assist in securing the attendance of respondent and witnesses before the Internal Committee;
- f. make available such information to the Internal Committee as it may require having regard to the complaint made;
- g. provide assistance to the person if he/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;
- h. cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved person so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place; If the sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer, shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- i. Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- j. Monitor the timely submission of reports by the Internal Committee;
- k. Include in its Annual report the number of cases filed, if any, and their disposal under this Act.

**Jurisdiction:**

Every offence under this Act shall be non-cognizable. No court shall take cognizance of any offence punishable under the referred Act or any rules made there under, except on a complaint made by the complainant or any person authorized by the Internal Committee in this behalf.

Further no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

**Miscellaneous:**

The Committee shall analyse and put up report on all complaints of this nature at the end of the year for submission to the Board of Directors.

In case the Committee find the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Board of Directors, for making a Police Complaint.

In the event of any dispute or difference regarding this policy or any part thereof, the interpretation shall be as per the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013".

The Company reserves the right to amend or modify this policy or any part thereof, as and when there are any legislation / gazette notifications affecting this Act.

In case of any doubts, please contact the IC members for clarification.

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