



## **PREVENTION OF SEXUAL HARASSMENT POLICY**

Although we have always believed in the principles underlying a harassment free environment, Finzoom Investment Advisors Private Limited alias INDmoney (the "Employer") believes that this subject concerning 'prohibition, prevention, and redressal of Sexual Harassment at Workplace' is important enough to warrant a specific policy statement, which is written below. This policy is applicable to all employees of Finzoom Investment Advisors Pvt. Ltd.

### **1. PURPOSE AND OBJECT**

The Employer is committed to providing an environment free of gender-based discrimination for all Employees. In addition to this, the Employer strives to provide all Employees with equal opportunity conditions of employment, free from gender-based coercion, intimidation, or exploitation and to create a work environment where everyone has an opportunity to fully participate in achieving business success and is valued for the distinctive skills, experiences and perspectives they bring to the Workplace. The Employer has zero tolerance for harassment, intimidation or humiliation of any kind in its Workplace and is dedicated to ensuring that the guidelines and best practices that prevent and prosecute acts of sexual harassment are followed at all times. The Employer believes that all individuals have the right to be treated with dignity and respect. Sexual harassment including discrimination, retaliation or intimidation by or towards any Employee at the Workplace shall not be tolerated.

In view of the aforesaid, the Employer has formulated this Sexual Harassment Policy ("**Policy**") in its continuous effort to create fair and just workplace practices for its Employees. This Policy has been established with the intention to prohibit, prevent and deter the acts of sexual harassment and providing a 'discrimination and hostility free' work environment to all. This Policy has been constructed within the framework of the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as amended from time to time (the "**Act**") and the Rules framed thereunder. In order to comply with the Act and also to provide a productive, safe and pleasant working environment, it is important that all of us maintain an atmosphere characterized by mutual respect.

This Policy is hereby made applicable to all Employees with immediate effect. The Employer aims to adopt zero tolerance attitude against any act of Sexual Harassment by any Employee during their tenure with us towards any other person being an Employee, client, visitor or contractor of the Employer.

### **2. DEFINITIONS**

- 2.1 "**Aggrieved Individual**" shall mean an Employee (related to any Workplace of the Employer), of any age, gender whether employed by the Employer or not, who alleges to have been subjected to any act of Sexual Harassment by Respondent.
- 2.2 "**Employee**" shall mean and include a person employed by the Employer, 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 principal Employer, 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.

2.3 “**Respondent**” shall mean the person against whom a complaint of Sexual Harassment has been made by the Aggrieved Individual.

2.4 “**Sexual Harassment**”, shall mean and include:

- 2.4.1 any unwelcome sexually determined behaviour, either explicit or implicit;
- 2.4.2 any physical contact & advance;
- 2.4.3 any demand or request for sexual favours;
- 2.4.4 any sexually coloured remark, showing pornography or obscene material;
- 2.4.5 any other unwelcome or objectionable or physical, verbal or non-verbal conduct of a sexual nature;
- 2.4.6 any teasing, innuendos and taunts, physical confinement and/or touching against one’s will and likely to intrude upon one’s privacy;
- 2.4.7 any unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature when made, either explicitly or implicitly;
- 2.4.8 any unwelcome sexual advances and verbal, non-verbal, or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds or display of a derogatory nature, having the purpose or effect of interfering with an individual’s performance or of creating an intimidating, hostile or offensive environment at the Workplace of the Employer;
- 2.4.9 any form of sexual assault, being committed where a person uses, the body or any part of it or any object as an extension of the body in relation to another person without the latter’s consent or against that person’s will;
- 2.4.10 For the sake of clarity, the following circumstances, among other circumstances, as and when occurs, shall amount to Sexual Harassment:
  - (a) Implied or explicit promise of preferential treatment in the employment;
  - (b) Implied or explicit threat or detrimental treatment in the employment;
  - (c) Implied or explicit threat about the present or future employment status;
  - (d) Interference with the work or creating an intimidating or offensive or hostile work environment; or
  - (e) Humiliating treatment likely to affect health or safety.

2.5 “**Workplace**” shall mean and include (i) the head office, units established, owned or controlled by the Employer; and (ii) any place visited by the Employee arising out of or during the course of employment with the Employer including transportation provided by the Employer for undertaking such journey; and (iii) any social networking website used as a tool or medium for Sexual Harassment.

### **3. CONSTITUTION OF INTERNAL COMMITTEE TO PREVENT AND DEAL WITH SEXUAL HARASSMENT**

3.1 The Employer has established a committee to deal with Sexual Harassment (“**Internal Committee**”). Currently all the Workplaces have a common administrative unit and therefore, one Internal Committee shall be established to deal with Sexual Harassment complaints.

However, in future, if the Employer decides to have more than one (1) administrative unit, the number of Internal Committees shall be added on a pro-rata basis.

3.2 The Internal Committee has been constituted in accordance with the requirements of the Act, in the following manner:

- 3.2.1 The Internal Committee consists of four (4) members with at-least half of its members being women.
- 3.2.2 One of the members of the Internal Committee, is an independent party, being familiar with the issue of sexual harassment (the "**Independent Member**"), who has been identified and appointed by the Employer.
- 3.2.3 The Presiding Officer of the Internal Committee is a woman employed at a senior level at Workplace.
- 3.2.4 The term of the office of Internal Committee shall be for a period of three (3) years from their date of nomination and after the expiry of the said period the Employer shall reconstitute the Internal Committee. A member of the Internal Committee may resign at any time by tendering his resignation in writing to the Employer.

3.3 The names of the persons who are on the Internal Committee, from time to time, along with their contact telephone numbers and other details shall be displayed on the notice board. Any further details or clarification in this regard may be sought from Ms. Nayanika Barua.

3.4 The following persons are nominated as members of the Internal Committee:

- 3.4.1 Presiding Officer: Ms. Nayanika Barua
- 3.4.2 Member: Mr. Akshay Garg
- 3.4.3 Member: Mr. Sunny Bajaj
- 3.4.4 Independent Member: Ms. Taru Gupta

3.5 A minimum of three members, including the Presiding Officer and the Independent Member shall form the quorum for hearings of the Internal Committee.

#### **4. REMOVAL OR REPLACEMENT OF INTERNAL COMMITTEE MEMBER OR PRESIDING OFFICER**

4.1 The Presiding Officer and/or any member of the Internal Committee shall be removed from the Internal Committee in the following circumstances and any vacancy created due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by the Employer in accordance with the appropriate guidelines:

- 4.1.1 contravenes any provisions of the Policy or the Act; or
- 4.1.2 has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
- 4.1.3 has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
- 4.1.4 has so abused his/her position as to render his/her continuance in office prejudicial to public interest, such Presiding Officer or member as the case may be.

#### **5. REDRESSAL PROCEDURES**

##### **5.1 Initiation of Complaint**

- 5.1.1 Any Aggrieved Individual who has experienced or has been subjected to any act of Sexual Harassment by an Employee, may make in writing a complaint to the Internal Committee within a period of three months from the date of the incident and in case of a series of incidents, within a period of three (3) months from the date of last incident, provided that where such complaint cannot be made in writing, the Chairman or any member of the Internal Committee shall render all reasonable assistance to the woman for making the complaint in writing. The Internal Committee may extend the said timeline, not exceeding three (3) months for reasons recorded in writing, if satisfied that these reasons prevented the Aggrieved Individual to write a complaint.
- 5.1.2 Where the Aggrieved Individual is unable to make a complaint on account of his/her physical incapacity, (a) her relative or friend; or (ii) her co-worker; or (iii) an officer of the National Commission for Women or State Women's Commission; or (iv) any person who has knowledge of the incident (with the written consent of the Aggrieved Individual) may make a complaint to the Internal Committee.
- 5.1.3 Where the Aggrieved Individual is unable to make a complaint on account of his/her mental incapacity, (a) a relative or friend; or (b) a special educator; or (c) a qualified psychiatrist or psychologist; or (d) the guardian or authority under whose care she/he is receiving treatment or care; or (e) any person who has knowledge of the incident jointly with her/his relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she/he is receiving treatment or care, may make a complaint to the Internal Committee.
- 5.1.4 Where the Aggrieved Individual for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her/his written consent;
- 5.1.5 Where the Aggrieved Individual is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her/his legal heir.

## **5.2 Conciliation**

- 5.2.1 The Internal Committee may before initiating an inquiry, at the request of the Aggrieved Individual, take steps to settle the matter between the Aggrieved Individual and the Respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
- 5.2.2 Where a settlement has been arrived at, the Internal Committee may record the settlement and forward the same to the Employer. The copies of the settlement order shall also be provided to the Aggrieved Individual and the Respondent by the Internal Committee.
- 5.2.3 Where a settlement is arrived at, no further inquiry shall be made.
- 5.2.4 Where the Aggrieved Individual informs the Internal Committee that any term or condition of the settlement arrived at has not been complied with by the Respondent, the Internal Committee shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police.

### 5.3 Enquiry Procedure

- 5.3.1 At the time of filing the complaint, the Aggrieved Individual shall submit to the Internal Committee, six (6) copies of the complaint along with supporting documents and the names and addresses of the witnesses.
- 5.3.2 On receipt of the complaint, the Internal Committee shall send one of the copies received from the Aggrieved Individual to the Respondent within a period of seven (7) working days.
- 5.3.3 Every complaint received by the Internal Committee shall be forwarded to all the other members within 2 (two) business days of its receipt. The Presiding Officer shall then proceed to call a special meeting of the Internal Committee within five (5) business days of receipt of the complaint. The Aggrieved Individual or his/her representative shall be heard at this meeting and the Internal Committee shall record the facts based on such hearing. If the Internal Committee is satisfied that there does not exist any prima facie case of Sexual Harassment, it shall after recording its reasons in writing, dismiss the complaint.
- 5.3.4 The Respondent shall file his/her reply to the complaint along with his/her list of documents, and names and addresses of witnesses, within a period not exceeding ten (10) working days from the date of receipt of the documents.
- 5.3.5 The Internal Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved Individual or Respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.
- 5.3.6 The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Committee.
- 5.3.7 In conducting the inquiry, a minimum of three (3) members of the Internal Committee including the Presiding Officer, as the case may be, shall be present.
- 5.3.8 In the event the Internal Committee finds a prima facie case of Sexual Harassment allegedly committed by one or more Employees, it shall after recording its reasons in writing shall proceed with a formal enquiry.
- 5.3.9 In the event the complaint is against:
  - (a) any member of the Internal Committee; or
  - (b) relatives of any of the members of the Internal Committee;then such member shall cease to be a member of the Internal Committee for the purposes of dealing with that particular complaint, and a new member may be nominated by the other members of the Internal Committee for dealing with that particular complaint.
- 5.3.10 If the Aggrieved Individual is unable to make a complaint in writing for any reason, he/she may contact the Presiding Officer / Member of the Internal Committee whose

details are provided on the notice board of the Employer, and they shall render assistance to such Aggrieved Individual for making the complaint in writing.

- 5.3.11 In the event that the complaint is against a senior officer or a departmental head of the Employer, the Presiding Officer of the Internal Committee shall be the Independent Member of the Internal Committee.
- 5.3.12 The Presiding Officer shall preside over the investigation and shall document all proceedings of the enquiry.
- 5.3.13 The Internal Committee shall follow principles of natural justice in all its proceedings and shall as far as possible maintain confidentiality of the identity of the Aggrieved Individual, the Respondent and the witnesses.
- 5.3.14 The Internal Committee shall have the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and / or any other matter which may be prescribed and deemed necessary for the inquiry process.
- 5.3.15 All Employees shall extend fullest co-operation to the Internal Committee and any failure to co-operate, or the giving of wrong or misleading information, or withholding information shall be a violation of this Policy and shall be dealt with appropriately by the Employer.
- 5.3.16 Minutes will be taken down to record the proceedings.
- 5.3.17 The inquiry shall be completed within ninety days from the date of receipt of the complaint. The conclusions of the Internal Committee will then be informed to the parties in writing following the investigation. These conclusions will recommend action to be carried out by the General Manager of the Employer.
- 5.3.18 A copy of the documentation should be sent to the Presiding Officer of the Internal Committee. This is important as the Internal Committee is required to compile an Annual Report to the Government on the log of complaints and the action taken to redress the complaints.

#### **5.4 Action during pendency of inquiry**

- 5.4.1 During the pendency of an inquiry, on a written request made by the Aggrieved Individual, the Internal Committee may recommend the following actions to be taken:
  - (a) transfer the Aggrieved Individual or the Respondent to any other workplace;
  - (b) grant leave to the Aggrieved Individual up to a period of three (3) months (which shall be in addition to the leave she/he is otherwise entitled to);
  - (c) grant such other relief to the Aggrieved Individual as may be prescribed under applicable law
  - (d) restraint the Respondent from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer.

- 5.4.2 On receiving a recommendation from the Internal Committee, the Company shall implement the recommendations and send a report of such implementation to the Internal Committee. The Employer shall act upon the recommendation within a period of sixty (60) days of its receipt by the Employer.

## **5.5 Report**

- 5.5.1 On the completion of the enquiry, the Internal Committee shall provide a report of its findings, along with its recommendations, to the Employer within ten (10) days from the date of completion of the enquiry. All members of the Internal Committee shall sign the said report. The same shall also be made available to the Aggrieved Individual and the Respondent.
- 5.5.2 If the Internal Committee finds that the allegation against the Respondent has not been proved, then it shall recommend to the Employer that no action is required to be taken in the matter.
- 5.5.3 If the Internal Committee arrives at a finding that allegations made in the complaint are proved, it will make recommendation to the Employer that any one or more of the following action(s) may be taken:
- (a) A letter of warning that will be placed in the personal file for an offence that is deemed minor by the Internal Committee such as offensive behaviour that is verbal, graphic or through gesticulation and an apology to be tendered by the Respondent to the Aggrieved Individual;
  - (b) issuance of written warning/reprimand to the Respondent to not repeat such offensive conduct in future;
  - (c) suspending the Respondent (with or without remuneration) for a period to be determined by the Internal Committee keeping in mind the gravity of the offensive conduct;
  - (d) denial of, promotion and/or decrease in salary of the Respondent;
  - (e) termination of the services of the Respondent, with or without penalties or fines;
  - (f) deduction of such sum from the salary of the Respondent as considered appropriate and cause it to be paid to the Aggrieved Individual or to his/her legal heirs.
  - (g) In case the Employer is unable to make deductions from the salary of the Respondent due to his being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Aggrieved Individual. In case the Respondent fails to pay the sum 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.
  - (h) The Employer shall provide assistance to the Aggrieved Individual, if she so chooses to file a complaint in relation to the offence under the Indian Penal Code, 1860 or any other law for the time being in force or cause to initiate action, under the Indian Penal Code, 1860 or any other law for the time being in force, against the perpetrator, or if the Aggrieved Individual so desires, where the perpetrator is not an Employee, in the Workplace at which the incident of sexual harassment took place.

## **6. PROCEDURE FOR DETERMINING COMPENSATION**

6.1 The Internal Committee may consider various factors as required under the law for the purpose of determining the sums to be paid to the Aggrieved Woman and may take the following into consideration:

- 6.1.1 the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- 6.1.2 the loss in the career opportunity due to the incident of sexual harassment;
- 6.1.3 medical expenses incurred by the victim for physical or psychiatric treatment the income;
- 6.1.4 the income and financial status of the Respondent; and
- 6.1.5 feasibility of such payment in lump sum or in instalments.

## **7. NON-RETALIATION**

7.1 The Employer will not accept, support or tolerate retaliation in any form against any Employee who, acting in good faith, reports suspected misconduct, asks questions or raises concerns. Any person who engages in such retaliation directly or indirectly, or encourages others to do so, may be subject to appropriate disciplinary action. The following rules shall apply in this regard:

- 7.1.1 Retaliation will be treated as a major misconduct.
- 7.1.2 Retaliation against those reporting Sexual Harassment is prohibited by this policy.
- 7.1.3 Retaliation means and includes any hurtful employment action against an individual/s.
- 7.1.4 Anyone suspecting or experiencing retaliation should report to the appropriate authorities.
- 7.1.5 Anyone feeling that a retaliation complaint did not get a prompt response can contact Ms. Nayanika Barua directly.
- 7.1.6 Retaliation cases are treated as seriously as an alleged case of Sexual Harassment even if the original Sexual Harassment complaint is not proven.

## **8. APPEAL**

In the event either the Aggrieved Individual and/or the Respondent is aggrieved by the findings and/or the recommendations of the Internal Committee and/or the action taken on the report of the Internal Committee, he/she may within ninety (90) days of receipt of recommendations prefer an Appeal before the respective forum / court / tribunal as may be applicable.

## **9. MALICIOUS ALLEGATIONS**

Where the Internal Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved Individual or any other person making the complaint has made the complaint knowing it to be false or the Aggrieved Individual or any other person making the complaint has produced any forged or misleading document, it may recommend to the Employer to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the Respondent from service or undergoing a counselling session or carrying out community service.



## **10. CONFIDENTIALITY AND PROTECTION AGAINST VICTIMIZATION**

- 10.1 The Employer recognizes that confidentiality of all matters relating to alleged acts of Sexual Harassment is of paramount importance. The Internal Committee and other individuals responsible for the implementation of this Policy will respect the confidentiality and privacy of the parties to the extent reasonably possible. The Employer shall ensure that an Employee who complains to the Internal Committee or participates in the investigation of the inquiry as a witness or otherwise shall not be subject to any unfavourable treatment whatsoever during the course of her/his employment and shall maintain confidentiality at all times.
- 10.2 Both the Employer and the Employee shall ensure that the contents of the complaint made under this Policy, the identity and addresses of the Aggrieved Individual, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the Employer shall not be published, communicated or made known to the public, press and media in any manner, provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Aggrieved Individual and witnesses. The breach of this provision by any Employee shall amount to serious misconduct.
- 10.3 During the course of any investigations by the Internal Committee, the Internal Committee shall be entitled to recommend on the request of the Aggrieved Individual to the Employer, interim relief(s) for the Aggrieved Individual (as outlined in this Policy) during the course of the investigation with a view to preventing any continuing / further Sexual Harassment and/or to protect the Aggrieved Individual from any reprisals, which recommendations shall be immediately implemented by the Employer.

## **11. SAVINGS**

The proceedings under this Policy shall not be stalled or postponed merely because the Aggrieved Individual is proceeding against the Respondent under any other provision of civil or criminal law.

The provisions of this Policy shall not restrict the rights of the Employer or Aggrieved Individual to proceed against the Respondent for any other misconduct or reliefs or to pursue any legal criminal or civil remedies.

The Employer encourages all Employees to report any incidents of Sexual Harassment forbidden by this Policy immediately so that complaints can be quickly and fairly resolved and relevant witnesses can be interviewed while events are still fresh in their memory.

## **12. MODIFICATION**

This policy can be modified by the Employer at any time without prior consent, provided that the said modification is notified to the Employee within a reasonable time from the date of modification. Modification may be necessary to maintain compliance with any future applicable laws and/or accommodate organizational changes within the Employer.