



Heritage Finlease Limited

**Policy on Prevention of Sexual Harassment of Women
at Workplace (POSH Policy)**

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Policy on Prevention of Sexual Harassment of Women at Workplace
(POSH Policy)

1. Preamble

In December 1993, as part of a campaign against sexual harassment in Rajasthan, some groups had filed a petition in the Supreme Court of India, under the name of 'Vishaka', asking the Court of Law to give certain directions regarding the sexual harassment that women face at the workplace. The result is the Supreme Court judgment, which came on 13th August 1997, and gave the Vishaka guidelines.

On 23rd April 2013, the legislature brought into force a comprehensive legislation dealing with the protection of women against sexual harassment at workplace by enacting "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013" ("Act") along with the Rules notified thereunder.

2. Objective

The Company is committed to provide a place of work, free from sexual harassment, intimidation, or exploitation. The company maintains a zero-tolerance policy for workplace sexual harassment, taking all incidents seriously and promptly investigating all allegations. Company is committed to take all necessary steps in ensuring that its staff works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

3. Scope

This is applicable to all employees in the organization, including any gender, part-time employees or on contract or service providers deployed on the premises. The policy covers such acts occurred within the premises of the organisation or deemed premises which are within the organisation's control.

In accordance with Section 2(f) and 2(o) of the Act, this Policy specifically applies to all women employees, whether permanent, temporary, ad-hoc, daily wage, contractual, trainee, apprentice, intern (paid or unpaid), consultant or visitor.

Workplace includes office premises, branch offices, any place visited during the course of employment, transportation provided by the Company and any work-from-home or virtual working environment.

4. Definitions of Sexual Harassment

- a. 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;
- b. Unwelcome sexual advances involving verbal, non-verbal or physical conduct such as sexually coloured remark, jokes, letters, phone calls, email, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking sounds, display of pictures, signs, verbal or

non-verbal communication which offends the individuals sensibilities and affect the performance of the individual;

- c. Eve-teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- d. Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;
- e. Conduct of such an act at workplace or outside in relation to an employee or vice-versa during the course of employment; and
- f. Any unwelcome gesture by an employee having sexual overtones.

In addition to the above, as per Section 2(n) and 3(2) of the Act.

5. Internal Complaints Committee

An Internal Complaints Committee (ICC) has been constituted by the company, in accordance with Section 4 of the Act, to consider and redress complaints of Sexual Harassment. The Internal Complaints Committee is constituted with four members, and it consists of at least one female member, one male member, one external member and is headed by a female employee as presiding officer.

The Presiding Officer and the members of the committee are furnished in the Annexure-1. If any member or presiding officer exits from the company, new member / presiding officer will be appointed in their place and changes will be furnished in the Annexure-1 on time-to-time basis.

6. Redressal Procedures

- Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the ICC in writing with his/her signature within three months from the date of occurrence of incident. Alternatively, the employee can send a complaint through an email to **poshcomplaints@heritagefinlease.in**. Alternatively, the employee can also drop a letter in the Complaint box placed at specific locations in the office in a sealed cover.
- The ICC will maintain a register to endorse the complaint received by it and keep the content confidential, if it is so desired, except to use the same for discreet investigation.
- The ICC will hold a meeting with the Complainant within 7 days of the receipt of the complaint.
- At the first meeting, the ICC 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 his/her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a chosen committee member shall meet the concerned employee and record the statement.

- Thereafter, the person against whom complaint is made may be called for a deposition before the ICC and an opportunity will be given to him/her 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.

Complaint must be made in writing within three (3) months from the date of incident, extendable by another three (3) months for sufficient cause (Section 9).

Before initiating inquiry, at the request of the complainant, ICC may attempt conciliation; however, monetary settlement shall not be the basis of conciliation (Section 10).

7. Enquiry Process

- The ICC shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- The enquiry shall be conducted in a Confidential Manner to protect the aggrieved.
- The ICC shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he 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 ICC the names of witness/es that they propose to call.
- If the Complainant desires to tender any documents by way of evidence before the ICC, 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 ICC shall call upon all witnesses mentioned by both the parties. The ICC shall complete the “Enquiry” within reasonable period but not beyond a month and communicate its findings and its recommendations for action to the Management. The report of the ICC shall be treated as an enquiry report on the basis of which action will be taken against the employee.
- On the basis of enquiry report the ICC shall initiate an appropriate disciplinary action against guilty as deemed fit based on the investigation as per the guidelines of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

The inquiry shall be completed within ninety (90) days from receipt of the complaint, and the ICC shall submit its report to the Employer within ten (10) days of completion of the inquiry; the Employer shall act upon the recommendations within sixty (60) days of receipt of the report, and during the pendency of the inquiry, the ICC may recommend interim relief such as transfer, leave up to three months, or other appropriate measures, in accordance with Sections 11, 12 and 13 of the Act.

8. Making False or Malicious Complaints

Where the ICC arrives at a conclusion that the complaint was made with a malicious intent, or the Complainant has made the complaint knowing it to be false or the Complainant has produced any forged or misleading document, the ICC shall take strict disciplinary action against the complainant, which action may be similar to the action taken for committing an act of Sexual Harassment. The ICC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

9. Access to Reports 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.

10. Protection to Complainant / Victim

The company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment.

11. Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials and not published or made known to public or media. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

12. Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

13. Employer's Obligations and Annual Reporting

In compliance with Sections 19, 21 and 22 of the Act, the Company shall:

- Provide a safe working environment;
- Display penal consequences of sexual harassment at conspicuous places;
- Conduct awareness and sensitization programs;
- Assist the complainant in filing a criminal complaint where required;
- Ensure that the Internal Committee prepares an Annual Report containing details of complaints received, disposed of and pending; and
- Include such details in the Company's Annual Report / Board's Report, as applicable.

14. Amendment

The policy may be amended by the Company from time to time to comply with the Act and rules made thereunder.

Annexure-1**Heritage Finlease Limited
Internal Complaints Committee**

S. No	Location	Name	Role
1.	Registered Office	Ms. Manasa Jilla	Presiding Officer
2.		Ms. Prasanna Bhargavi Dogiparthi	Member
3.		Mr. Syed Meer Sardar	Member
4.		Mr. Rishabh Dev Chauhan	Member
5.		Ms. Mrudula Vemulapati	NGO (External Member)