

INDIA HOME LOAN LIMITED



PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

VERSION CONTROL

Version Control No.	Author	Date Created	Date updated	Date Approved	Version Description
1	Ayushi Thakuriya	March 18, 2021	-	March 9, 2021	-
2	Shilpa Katare		August 30, 2022	August 30, 2022	2.0
3	Akash Das		December 15, 2024	February 13, 2025	3.0

TABLE OF CONTENTS

SR. NO.	PARTICULARS	PAGE NO.
1	INTRODUCTION	4
2	BACKGROUND OF LAW RECOGNIZING SEXUAL HARASSMENT AT WORKPLACE	4
3	OBJECTIVE	5
4	APPLICABILITY	5
5	DEFINITIONS	5
6	WHAT IS SEXUAL HARRASMENT?	6
7	IF YOU ARE BEING HARASSED	7
8	INTERNAL COMMITTEE (IC) MEMBERS	9
9	DEALING WITH THE COMPLAINT	9
10	DISCIPLINARY ACTION	9
11	CONFIDENTIALITY	10
12	PROTECTION AGAINST RETALIATION	10
13	INTERIM RELIEFS	11
14	DOCUMENTATION	11
15	DISSEMINATION OF THE POLICY	11
16	KEY DUTIES OF IHLL	11
17	COMPLAINTS MADE WITH A MALICIOUS INTENT	11
18	APPEAL	12
19	CONCLUSION	12
20	POLICY REVIEW	12

I. INTRODUCTION

IHLL's quest for competitive excellence consists of our commitment to lawful and ethical conduct and adhering to IHLL's values. Integrity, honesty and respect for people remain some of our core values.

The company is committed to provide a safe and conducive work environment to its employees and expects them to combine "Expertise with responsibility". Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realize that his/her behavior will be attributed to the company and can affect its inward and outward reputation.

Under the corporate compliance, harassment of any kind including sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his or her own behavior to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment.

IHLL is committed to provide a work environment free of sexual harassment. Sexual harassment is a form of workplace harassment of a sexual nature that affects the dignity of men and women at work.

The IHLL Sexual Harassment Policy has been formed to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment and to comply the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being The Sexual Harassment of Women at Workplace (hereinafter referred to as "Act").

II. BACKGROUND OF LAW RECOGNIZING SEXUAL HARASSMENT AT WORKPLACE

Indian Context

- The Supreme Court of India, in 1997, in the *Vishaka and others Vs. State of Rajasthan* (AIR 1997 SC 3011)) ("**Vishaka Judgment**"), for the first time, acknowledged sexual harassment at the workplace as a human rights violation. In the Vishaka Judgment, the Hon'ble Supreme Court laid down guidelines for making it mandatory for every employer (both in the private and government sector) to provide a mechanism to redress grievances pertaining to workplace sexual harassment and enforce the right to gender equality of working women.
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("Rules"):

The Act has been enacted with the objective of providing women protection against sexual harassment at the workplace and for the prevention and redressal of complaints of sexual harassment. Sexual harassment is considered as a violation of the fundamental rights of a woman, which includes a right to a safe environment free from harassment.

Scope of the Act:

The ambit of the Act is very wide and is applicable to the organized sector as well as the unorganized sector. In view of the wide definition of 'workplace', the Act, *inter alia*, applies to government bodies, private and public sector organizations, society, trust, non- governmental organizations, organizations carrying on commercial, vocational, educational, entertainment, industrial, health services, financial activities, hospitals and nursing homes, educational institutes, sports institutions and stadiums used for training individuals. As per the Act, a workplace also covers within its scope places visited by employees during the course of employment or for reasons arising out of employment - including transportation provided by the employer for the purpose of commuting to and from the place of employment.

III. OBJECTIVE

In line with the ethos of IHLL it has been laid down that each employee at IHLL is expected to conduct himself/herself in the most professional manner, maintain proper office decorum and treat others with respect, fairness and dignity. IHLL does not approve of discrimination in employment based on colour, race, religion, sex and is committed to provide a work environment that is transparent in its conduct, being fair and non-discriminatory. IHLL is committed to be a gender friendly workplace. This is in order to enhance equal opportunities for men and women, to prevent/stop/redress sexual harassment at workplace and to promote good employment practices.

The fundamental objective of enunciating the Policy on Sexual Harassment at Workplace ("Policy") is to set out guidelines to all employees with regard to prevention of sexual harassment at workplace.

The Policy has been amended from time to time in compliance with the statute. The policy provides a glimpse on the core issues addressed by the legislation and accordingly lays down the details of norms to be followed by IHLL in the eventuality of any occurrence of any contravention.

IV. APPLICABILITY

This policy applies to all the employees, workers and trainees (whether in the office premises or outside while on assignment) of the IHLL.

Where sexual harassment occurs to IHLL employee as a result of an act by a third party or outsider while on official duty, IHLL will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

V. DEFINITIONS

The following definitions are for the ease and understanding of the employees. The exact definitions are to be referred and interpreted from the Act.

- **Aggrieved Woman:** means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **Employee:** A person employed at the workplace 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.

- **Internal Committee:** Consistent with the Act read with the Rules, IHLL has formed an internal committee ("Internal Committee" or "IC") which will manage the process of inquiry and redressal of sexual harassment complaints made by women. The committee has been named as the 'Internal Committee'.

The Internal Committee is responsible for interalia:

- i. Investigating every formal written complaint of Sexual Harassment.
 - ii. Taking appropriate remedial measures and/or making recommendation to respond to any substantiated allegations of sexual harassment.
 - iii. Discouraging and preventing employment-related sexual harassment.
- **Complainant:** Any aggrieved individual (including a representative as more fully described under Rule 6 of the said Rules, if the aggrieved Women is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.
 - **Respondent:** A person against whom the Aggrieved Woman has made the complaint.
 - **Workplace:** In addition to the place of work, it extends to any place visited by the employee arising out of or during the course of employment and includes transportation provided by IHLL for undertaking such journey.

VI. WHAT IS SEXUAL HARASSMENT?

It refers to behaviour that is unwelcome, personally offensive and that debilitates morale and, therefore, interferes with work effectiveness. It is a form of assault that can manifest itself in terms of physical or psychological acts. Sexual Harassment includes the following:

- i. Physical contact and advances or a demand/request for sexual favours or making sexually coloured remarks/jokes or sexist remarks or showing pornography or any other unwelcome physical, verbal or non-verbal (through gestures, textual, graphic, electronic) conduct of sexual nature. This includes the following :
 - Leering, touching or brushing against any part of the body and any such unwelcome contact.
 - Obnoxious comments or utterances, innuendos and taunts that cause/are likely to cause embarrassment or awkwardness.
 - Stalking, making sounds or display of a nature with sexual overtures and communicating sexual remarks/jokes via telephone calls, letters, SMS, emails, and the like.
 - Forcible physical touch or molestation.
- ii. A demand/request for sexual favours in return for a promise of work-related favours such as performance appraisals, promotions, transfers, salary increases and employment or any other form of reward or recognition. A demand/request for sexual favours with a threat of detrimental treatment in present /future employment status.

- iii. Acts of a sexual behaviour which may arise out of coercion.
- iv. Physical confinement against one's will and any other act likely to affect one's privacy. This includes any act or conduct by a person in authority and belonging to one sex which denies/would deny equal opportunity in pursuit of career development or otherwise make the environment at the workplace hostile/intimidating to a person, who belongs to the other sex, only on the ground of sex.
- v. Intrusion into the private lives, etc. or that which may lead to hostile working conditions.
- vi. Humiliating treatment likely to affect the health or safety of an employee.
- vii. Any other acts or behaviours that outrage the modesty of a female employee.

In addition, the Act lays down the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment that may amount to sexual harassment:

- implied or explicit promise of preferential treatment in a woman's employment; or
- implied or explicit threat of detrimental treatment in a woman's employment; or
- implied or explicit threat about present or future employment status; or
- interference with a woman's work or creating an intimidating or offensive or hostile work environment for a woman; or
- Humiliating treatment likely to affect a woman's health or safety.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is no way intended to be constructed as an exhaustive list

VII. IF YOU ARE BEING HARASSED:

A written complaint must be filed by the Aggrieved Woman with the IC (of the concerned branch) within 3 months of occurrence of the incident alleged and in case of a series of incidents, within a period of 3 months from the date of last incident. This period can be further extended by a period of 3 months at the discretion of the IC in the event the circumstances were such which prevented the complainant from filing the complaint.

In case a complaint cannot be made in writing, the presiding officer or any member of the IC shall render all reasonable assistance to the aggrieved woman for making the complaint in writing.

Where the Aggrieved Woman is not able to make a complaint on account of her physical incapacity, the following persons may file the complaint on behalf of her:

- Her relative or friend; or
- Her co-worker; or
- Any officer of the National Commission for Women or State Women's Commission; or
- Any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

Where the Aggrieved Woman is not able to make a complaint on account of her mental incapacity, the following persons may file the complaint on behalf of her:

- Her relative or friend; or

- A special educator; or
- A qualified psychiatrist or psychologist; or
- The guardian or authority under whose care she is receiving treatment or care; or
- Any person who has knowledge of the incident jointly with anyone of the above

Where the Aggrieved Woman 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 written consent.

Where the Aggrieved Woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

The Aggrieved Woman is required to disclose her name, department, division and location she is working in, to enable the Internal Committee to contact her and take the matter forward.

The Aggrieved Woman shall submit 6 copies of the complaint to the concerned IC along with supporting documents and the names and addresses of the witnesses (if any). The IC shall forward a copy of the complaint to the Respondent within 7 working days and the Respondent shall file his reply along with supporting documents and the names and addresses of the witnesses (if any) within a period not exceeding 10 days from the date of receipt of the documents from the IC.

Conciliation: At the request of the Aggrieved Woman, the IC may allow conciliation of the complaint between Aggrieved Woman and Respondent. It may be noted here that monetary settlement shall not be the basis of such conciliation. Upon such settlement being arrived at by IC, it shall record such settlement and forward the same to IHLL. The copies of the settlement shall also be provided to the Aggrieved Woman and the respondent.

In cases where settlement has been arrived at by conciliation no further inquiry shall be conducted by the IC.

VIII. INTERNAL COMMITTEE MEMBERS

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal Committee" is constituted. The details of the Committee will be shared at all locations / offices.

The committee comprises of:

- Presiding Officer who shall be a woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one half of the total members is women

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure

- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

IX. DEALING WITH THE COMPLAINT

The IC shall make inquiry into the complaint in accordance with the established principles of natural justice. The IC shall complete its inquiry within 90 days from receipt of complaint and an inquiry report shall be issued accordingly within the stipulated period.

An opportunity of being heard shall be given to both parties 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.

The IC shall have the right to terminate the inquiry proceeding or give ex-parte decision on the complaint, if the Aggrieved Woman or the Respondent fails, without sufficient cause to present herself or himself for three consecutive hearings conveyed by the IC. Provided such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.

No party shall be allowed to bring in any legal practitioner to represent them at any stage before the IC.

While conducting an inquiry, a minimum of three members of the IC including the presiding officer of the concerned IC shall be present while conducting the inquiry.

X. DISCIPLINARY ACTION

On completion of the inquiry, an inquiry report shall be issued to IHLL within a period of 10 days from the completion of the inquiry and such report shall also be made available to the concerned parties.

a) In the event the allegation is not proven:

- The IC shall not recommend any action to be undertaken by IHLL;

b) In the event the allegation stands proven:

- The IC shall recommend take action against the respondent for sexual harassment as a misconduct in accordance with the Code of Conduct; or
- The IC shall recommend to take action including:
 - i. seek a written apology from the respondent;
 - ii. issue a warning to the respondent;
 - iii. reprimand or censure the respondent;
 - iv. withhold the promotion of the respondent;
 - v. withhold the pay rise or increments of the respondent;
 - vi. terminate the respondent from service;
 - vii. instruct the respondent to undergo a counselling session; or
 - viii. instruct the respondent to undertake community service.; or

The determination of amount of compensation to be paid to the Aggrieved Woman would be based on the following factors:

- Mental, trauma, pain, suffering and emotional distress;
- The loss in the career opportunity due to the incident
- Medical expenses;
- Income and financial status of the respondent; and
- Feasibility of such payment in lump sum or in installments.

c) In the event the allegation is false or malicious in nature or false evidence is rendered:

d) In case the IC finds the degree of offence coverable under the Indian Penal Code, 1860 the IC shall take appropriate action for making a police complaint.

Upon the recommendation received from the concerned IC, IHLL shall act within 60 days from the date of receipt of the report of the IC.

XI. CONFIDENTIALITY

The contents of the complaint, the identity and address of the Aggrieved Woman, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC, and the action taken by IHLL shall not be published, communicated, or made known to the public, press and media in any manner. The Act also stipulates removal of the presiding officer in the eventuality of such publication.

However, information may be disseminated regarding the justice administered to any Aggrieved Woman of Sexual Harassment without disclosing the name, address, identity or any other particulars calculated to lead to identification of the Aggrieved Woman and witnesses.

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

XII. PROTECTION AGAINST RETALIATION

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee as soon as possible. Disciplinary action will be taken by the Complaints Committee against any such complaints which are found genuine.

XIII. INTERIM RELIEFS

The IC is empowered to recommend to IHLL, at the request of the complainant, interim measures such as:

- i. transfer of the Aggrieved Woman or the respondent to any other workplace;
- ii. grant leave to the Aggrieved Woman up to a period of 3 months in addition to her regular

statutory / contractual leave entitlement; restrain the respondent from reporting on the work performance of the Aggrieved Woman or writing her confidential report or assign the same to any other officer.

- iii. restrain the respondent from reporting on the work performance of the Aggrieved Woman or writing her confidential report or assign the same to any other .

XIV. DOCUMENTATION

The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the Complaints Committee.

XV. DISSEMINATION OF THE POLICY

A copy of this policy shall be circulated amongst all the employees of the Company. Further, a copy of the Policy would be uploaded in the website viz., www.indiahomeloan.co.in.

XVI. KEY DUTIES OF IHLL

- i. To constitute and provide facility to all the members of the IC for dealing with complaints of sexual harassment and conducting inquiry;
- ii. To provide safe working environment for all;
- iii. To display at a conspicuous place penal consequence of sexual harassment;
- iv. To provide necessary support to the Aggrieved Woman if she chooses to file a criminal complaint under the Indian Penal Code 1860;
- v. To treat sexual harassment as a misconduct under the service rules;
- vi. To monitor timely preparation and submission of an Annual Report by the Internal Committee;
- vii. To conduct orientation programmes and seminars for the members of the IC;
- viii. Conduct workshops and employee awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and the Rules; and
- ix. Declare the names and contact details of all the members of the Internal Committee.

XVII. COMPLAINTS MADE WITH A MALICIOUS INTENT

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have as forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his / her image in the company and to settle personal / professional scores; strict action will be taken against the complainant. The employees who are victims of sexual harassment may in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

XVIII. 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.

XIX. CONCLUSION

In conclusion, the Company reiterates its commitment to provide its women employees, a workplace free from harassment / discrimination and where every employee is treated with dignity and respect.

XX. POLICY REVIEW

This Policy may be amended, modified or supplemented from time to time to ensure compliance with any modification, amendment or supplementation to any notifications and directions issued by Ministry of Law and Justice or under any other law applicable, from time to time. The IC may issue/implement such guidelines, procedures, formats and/or reporting mechanisms to enforce this Policy as it may deem fit.