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**SEXUAL HARASSMENT POLICY**  
**DVARA KSHETRIYA GRAMIN FINANCIAL SERVICES PRIVATE LIMITED**

Chapter Name	Sexual Harassment Policy
Version No.	1.0

## Introduction

Dvara KGFS is an equal opportunities employer and it is the objective of the company to provide a free and safe working environment for all its employees, especially women. Hence a policy has been framed for the prevention and the redressal of any sexual harassment at the workplace in keeping with the principles of equality, freedom, life and liberty as enshrined in the Constitution of India.

The policy follows the broad guidelines of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereafter referred to as the “Sexual Harassment Act”) and guidelines as laid down under the international Convention for Elimination of all forms of Discrimination Against Women. Dvara KGFS shall at all times ensure that it is in compliance with applicable laws, rules, regulations and orders relating to sexual harassment at the workplace, as may be amended from time to time.

## Scope

All stakeholders are eligible to raise an issue under the provisions of the policy. The stakeholders are Employees (Including Trainees), Consultants, Vendors, Customers and any other individual associated with the company.

This policy is not designed or intended to limit the Company's authority to discipline or take remedial action for workplace conduct which is unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

## Definitions Pertaining to this Policy

**Complainant:** complainant means, 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.

**Respondent:** respondent means a person against whom the Complainant has made a complaint to the Sexual Harassment Internal Complaints Committee under this policy.

**Sexual harassment:** Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely: -

- (i) physical contact or advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, textual, graphic, electronic, verbal or non-verbal conduct of sexual nature.

**Workplace:** workplace is defined as any place where the Complainant or Respondent is employed, works, or visits in connection with work, during the course of or arising out of employment.

## Sexual Harassment Determinants

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

## Sexual Harassment Internal Complaints Committee

To ensure a safe environment, Dvara KGFS has constituted a „Sexual Harassment Internal Complaints Committee“ at each KGFS (hereafter referred to as SHICC). This committee will consist of four members and each KGFS branch will display a notice with members for KGFS listed.

Any complaint of Sexual Harassment at the Workplace may be made in writing by the Complainant (or by his/her legal heir, in case of any incapacity of the Complainant), to any member of the Committee within 3 months of the last incident complained against. The Committee may however permit relaxation in this regard if it is satisfied that the circumstances were such that the Complainant was prevented from filing the complaint within the stipulated period.

The Company will also form a central core Internal Complaints Committee represented by the CEO, HR representative and two more employees as identified by CEO to manage KGFS SHICC.

### Constitution of Committee

The SHICC shall consist of a minimum of two women members. The Presiding Officer/ Chairperson of KGFS SHICC shall be a female senior management representative from the KGFS. Two other employees who are committed to the cause of women, or those who have social work experience or legal knowledge shall be nominated as members to the Committee. Another member shall be nominated from an NGO or association committed to the cause of women or a person familiar with issues relating to sexual harassment. In compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules 2013, the member appointed from non-government organisations shall be entitled to an allowance of Rs.200/ day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or the actual amount spent by him/ her on travel, whichever is less.

Each member shall hold office for a specified period, not exceeding 3 years. Notwithstanding the foregoing, Dvara KGFS may remove and replace any member from the Committee in case of misconduct, breach of confidentiality or abuse of position.

### Procedure

On receipt of the complaint, the Committee may at the request of the Complainant attempt to settle the matter between the Complainant and the Respondent. However such conciliation shall not involve any monetary compensation. Where a settlement has been arrived at pursuant to conciliation, the Committee shall record the settlement and forward the same to Dvara KGFS and all the relevant parties to be acted upon including the Complainant and the Respondent. There shall be no further inquiry unless the Complainant informs the Committee that the Respondent has not complied with the terms of the settlement.

In all other instances, the Committee will initiate action to inquire into the complaint by interviewing the Complainant, Respondent and any witnesses. They will also attempt to determine whether there are any individuals with any direct or indirect information regarding the complaint, interview such persons and gather all information relating to the complaint (including documentary or electronic information).

The Committee will ensure that the Complainant and the Respondent are called separately, so as to ensure freedom of expression and an atmosphere free of intimidation. The Committee shall have similar powers as vested in a civil court trying a similar suit under the Code of Civil Procedure, 1908.

On completion of the inquiry, the committee shall submit a written report at the earliest, but not later than ninety days from the date of filing of the complaint. Appropriate action will be recommended and taken based on the findings of the committee. Where both the parties are employees of Dvara KGFS, a copy of the findings shall be made available to them.

#### **Interim Measures during Pendency of the Inquiry**

While the inquiry is pending, the Committee may, on the written request of the Complainant, make any appropriate recommendation as it deems fit, including the transfer of the Complainant or the Respondent to any other workplace or grant of leave to the Complainant up to a period of three months (in addition to the leave that the Complainant would otherwise be entitled to). Dvara KGFS shall then submit a report of its implementation to the Committee.

#### **Findings and Action**

On completion of the inquiry on the charges of sexual harassment, action will be decided based on the nature of the complaint and the findings of the committee.

Based on the conclusions of the Committee, if an act of Sexual Harassment amounts to an offense under the provisions of the Indian Penal Code or any other law in force in the country, Dvara KGFS will initiate other actions under the provisions of the law. This would include advising the aggrieved employee about her rights to initiate action in accordance with the law and providing the necessary assistance to file the complaint.

If the complaint against the Respondent has been proven during the inquiry, the Committee may recommend action against the Respondent, treating Sexual Harassment as misconduct. This may lead to dismissal or a warning not to repeat such action, and could include any reasonable course of conduct to redress any loss or damage suffered by the Complainant as a result of the harassment.

The defendant may also be asked to pay compensation to the Complainant, or give a written apology, with a clear understanding that no retaliatory steps will be taken by the defendant against the Complainant. While determining the compensation amount to be paid and other operative details regarding compensation, the Committee shall keep in mind various factors like loss of career opportunity for the Complainant due to this incident, medical expenses incurred for physical or psychiatric treatment, mental trauma and emotional distress, income and financial status of the Respondent etc.

Any other punishment ranging from a warning or censure to suspension, reduction in grades, or dismissal / termination of service may also be imposed, depending on the gravity of the act. The guidelines for this will be as per the Sexual Harassment Act.

If the Committee finds that the allegation of Sexual Harassment has not been proved, then it shall make a recommendation that no action is required to be taken in the matter. In case the Committee arrives at a conclusion that the Complainant's allegation is malicious or has been made with the knowledge that it is false; or that the Complainant or any witness has given false evidence / produced a forged or misleading document during the inquiry, then the Committee shall recommend that action be taken against such person(s).

#### **Confidentiality of Complaint and Proceedings**

The contents of the complaint, identity and addresses of all the parties and witnesses involved, and all information relating to the inquiry, conciliation and recommendations shall be kept confidential at all times. However information regarding the justice secured to any Complainant may be disseminated if so required without disclosing the identity and other particulars that may lead to identification of the Complainant. Any breach of this confidentiality provision by any person shall be deemed to be misconduct and dealt with accordingly.

**Failure to take Action on a Complaint**

Where a complaint of sexual harassment is made to a reporting manager or a member of the Internal Committee, but no action is initiated, this neglect may be deemed as misconduct and action, as appropriate may be initiated against the manager concerned for neglect or compromising the working environment of the organization.

**Annual Reporting of Complaints**

The Committee shall submit a report for each calendar year to Dvara KGFS and the District Office appointed under the Sexual Harassment Act, specifying the number of complaints filed and their disposal.

**Workplace Etiquette Regarding Professional Relationships**

Employees should maintain a professional decorum in the workplace. Any personal relationship between employees in same team especially in a reporting relationship is strongly discouraged.

**Communication of Policy**

Dvara KGFS is committed to providing a safe working environment for all its employees. Workshops and sensitization programs shall be conducted at regular intervals and all employees are expected to participate in the same. This policy should be communicated to employees during the induction and an excerpt of this policy should be handed over, any amendments in the policy will be shared via email. Constant reminders on the policy will be sent to all the employees via email every month by the HR representative.

Employees are also encouraged to bring to the notice of their reporting managers/ senior management any breach in safety or possibility of negative impact on the working space, safety and security of the working environment. An aggrieved employee should bring incident(s) to the notice of the Internal Committee in a timely manner and be assured that Dvara KGFS and the Sexual Harassment Internal Committee instituted by it will maintain confidentiality and look at redressal mechanism at the earliest.

**Timelines for Enquiry**

The committee to meet - Study complaints and determine the next course of action	Within 3 working days from the receipt of complaint
Initiation of Enquiry Proceedings	Within 7 working days from the date of deciding that an enquiry is warranted
Conclusion of Enquiry	Within a month from the date of receiving the complaint, in exceptional circumstances a maximum of 90 days as per Sexual Harassment Act
Preparation of report and presentation to management	Within 7 working days from the date of conclusion of an enquiry

**Complaint Procedure**

All KGFS branches will have notices regarding Sexual Harassment displayed for our employees. Aggrieved employees are requested to either email or send a written communication to any/ all of the listed SHICC. Aggrieved employees are encouraged to use the format in Annexure 1 to send the written communication. In the case of an email communication, aggrieved employee is requested to mention SHICC in the subject line.

**Annexure - I**  
**Complaint Form - Sexual Harassment**

Dvara KGFS is committed in providing a fair and safe work environment for its employees. Any employee found violating our Code of Conduct is taken as a serious matter and we are committed in making a full enquiry into the same in a confidential and fair manner. While registering a complaint using this form, we request employee to be as specific as possible in discussing the incident(s) which in turn will assist the investigators in the fact-gathering process. You are encouraged to attach additional materials, which may assist in the investigation process. Request you to sign this form in order to make it an official complaint. On receipt of your complaint, the Sexual Harassment Internal Complaints Committee (SHICC) will review it an initiate investigation.

To investigate your complaint, it will be necessary to interview you, the alleged offender(s), and any witnesses with knowledge of the allegations or defenses. Please be assured that the investigation process will be kept confidential.

Stakeholder Name	Address
Location	Contact Number
I am Employee/ Consultant/ Vendor/ Customer/ Other(s) _____	
My complaint is against _____	
Date of alleged incident	:
Place of alleged incident	:
Nature of alleged harassment	:

Describe in detail the specific incident(s) that is the basis of the alleged harassment mentioning names dates and places (if applicable). Please feel free to use additional paper if needed.

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List and describe all evidence pertaining to your complaint

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List and identify all witnesses if any to the incident(s) or persons who have personal knowledge of information pertaining to your complaint:

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Have you previously reported or otherwise complained about this or related acts of harassment to any other person within the company? If so, please provide us with the details of the earlier complaint.

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I certify that to the best of my knowledge the information that I have provided is accurate and the events and circumstances are as I have described them. I understand that the nature of this complaint, correspondence, and all discussions conducted in the course of investigation of the information contained in this complaint are confidential to the extent permitted by existing law, rules & regulations. I agree to abide by these guidelines.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## KGFS Branch Central Notice Board communiqué

### **Sexual Harassment Policy & Internal Complaints Committee**

Dvara KGFS is an equal opportunities employer and it is the objective of the company to provide a free and safe working environment for all its employees, especially women. The Sexual Harassment Policy has been framed for the prevention and the redressal of any sexual harassment in \_\_\_\_\_ KGFS workplace in keeping with the principles of equality, freedom, life and liberty as enshrined in the Constitution of India.

All stakeholders of KGFS are eligible to raise an issue under the provisions of the policy. The stakeholders of KGFS who can raise a complaint are employees including trainees, consultants, vendors, customers and any other individual who is associated with KGFS.

**Sexual Harassment:** Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely: -

- (i) physical contact or advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, textual, graphic, electronic, verbal or non-verbal conduct of sexual nature.

In accordance with the Act, \_\_\_\_\_ KGFS has constituted a four-member committee hereinafter referred to as “Sexual Harassment Internal Complaints Committee” (SHICC) with the following team members:

1. Ms. \_\_\_\_\_ - Email:
2. Ms. \_\_\_\_\_ - Email:
3. Mr./Ms. \_\_\_\_\_ - Email:
4. Mr./Ms. \_\_\_\_\_ - Email:

Any stakeholder may lodge a complaint of sexual harassment. Third party complaints and witness complaints will also be entertained. Complaints can be lodged directly with any member of the SHICC, or through peers, superiors, etc. If the complaint is made through any such channel other than SHICC, the person to whom the complaint is made shall be bound to bring it to the notice of SHICC within two working days of its receipt. Any person aggrieved shall prefer a complaint at the earliest point of time and in any case within 15 days from the date of occurrence of the alleged incident.

*For more details, please get in touch with any member in the SHICC.*