

DOCUMENT CONTROL NUMBER	VERSION	DOCUMENT TYPE	DISTRIBUTION	RELEASE DATE	EFFECTIVE DATE
BFDL-GHR-PL-100	002	PL	ALL EMPLOYEES	01-SEP-2023	01-SEP-2023

POLICY

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY





	PREPARED BY	REVIEWED BY	RECOMMENDED BY	APPROVED BY
Signature				
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Date	01-Sep-23	01-Sep-23	01-Sep-23	01-Sep-23

TABLE OF CONTENT

1.	PURPOSE & BACKGROUND	3
2.	SCOPE & APPLICABILITY	3
3.	DEFINITIONS.....	3
4.	POLICY GUIDELINES	5
5.	RECEIVING A COMPLAINT (GUIDELINES)	8
6.	RESOLUTION PROCESS THROUGH CONCILIATION	8
7.	RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY.....	8
8.	ACTIONS TO BE TAKEN AFTER INQUIRY	9
9.	COMPLAINT SUBSTANTIATED:.....	10
10.	APPEAL	11
11.	PROHIBITION OF RETALIATION	11
12.	CONFIDENTIALITY- NON-DISCLOSURE OF THE COMPLAINT	11
13.	MISCELLANEOUS	11
14.	MIS & REPORTING GUIDELINES	11
15.	PREPARATION OF QUARTERLY REPORT.....	11
16.	ANNEXURE - A (IC MEMBERS)	12
17.	ANNEXURE - B (ACTS OF SEXUAL HARASSMENT ARE COVERED BY THE FOLLOWING PROVISIONS OF LAW).....	12
18.	HISTORY OF CHANGES	13

1. PURPOSE & BACKGROUND

Bajaj Finserv Direct Ltd. (“BFDL” / “We” / “Company”) is committed to create a healthy working environment that enables employees to work without fear of prejudice, gender discrimination and harassment. We believe that all employees have the right to be treated with fairness and dignity. We recruit competent and motivated people who respect our values, provide equal opportunities for their development and advancement, protect their privacy, and do not tolerate any form of harassment or discrimination. Sexual harassment at the workplace or any other place than workplace, is a grave offence and is punishable under law.

This policy has been framed in accordance with the provisions of ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and rules framed thereunder (hereafter referred to as ‘the Act’). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification, reference shall always be made to the Act. In case of any inconsistency, the provisions of the Act shall prevail. Also, considering the fact that sexual harassment is a serious offence under law, for your reference, the provisions of law dealing with Offences involving sexual harassment and the punishment applicable for such offences are detailed as part of ‘Annexure B’ annexed to this Policy.

2. SCOPE & APPLICABILITY

All employees of BFDL, are governed under this Policy, including trainees, management trainees, those on deputation/secondment, apprentices, interns, staff, full time employees both permanent and on probation and temporary employees who are appointed at any office of the Company in India and for whom the Company discharge its role as a principal employer.

In addition to the above, this Policy shall also cover any and all situations where any of the aforementioned person(s) may be subject to any kind of sexual harassment as a result of an act by:

- 2.1 A third party
- 2.2 Independent contractor and/ or outsider while on official duty

It also covers any kind of sexual harassment that any third party, independent contractor and/ or outsider may suffer as a result of any act by any of the aforementioned person(s) within the workplace.

3. DEFINITIONS

3.1 Sexual harassment may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary, or job of another person, but also between co-workers. It may also occur between a BFDL employee and a third party that employee deals with, in the course of her work who is not employed by the Company. The definition of “Sexual Harassment” under the Act, includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- 3.1.1 Physical contact and advances; or
- 3.1.2 A demand or request for sexual favours; or
- 3.1.3 Making sexually coloured remarks; or
- 3.1.4 Showing pornography; or any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

3.2 Sexual harassment also includes any of the following:

- 3.2.1 Making unwelcome sexual advances or requests for sexual favours
- 3.2.2 Using any communication method or social networking sites viz. E-mail, SMS, WhatsApp, etc. for transmitting messages or pictures that are not conducive to work environment or are deemed to be offensive by the recipient

- 3.3 Creating an intimidating, hostile or offensive working environment or atmosphere either by:
- 3.3.1 Verbal conduct such as epithets, derogatory comments, or remarks of a sexual nature about person's clothing or body, eve teasing, taunts, slurs, unwanted sexual advances, or propositions, offers of employment or promotion benefits in exchange for sexual favors, graphic commentary about a person's physical attributes, use of profane, threatening, or intimidating language; including calling employees by terms of endearment; using vulgar, or demeaning language
 - 3.3.2 Any unwanted physical contact of a sexual nature including sexually suggestive or offensive touching or deliberate brushing against another's body. Also conduct against women, which tantamount to physical assault with intent to disrobe, hitting, kicking pushing, blocking normal movement or intentional interference with work
 - 3.3.3 Visual conduct such as leering or the display of derogatory or sexually suggestive/explicit posters, photography, graffiti, drawings, gestures, inappropriate text messages with sexual contour or objects, sexually suggestive or obscene notes, letters, email, internet information, voyeurism
 - 3.3.4 Making, publishing, transmitting, or posting obscene or sexual pranks, sexual teasing,
 - 3.3.5 Sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, WhatsApp, etc.
 - 3.3.6 Threats and insinuation that a person's employment, wages, promotional opportunities, job or shift assignments, or other conditions of employment may be adversely affected by not submitting to sexual advances or demands for sexual favors and /or enhanced if submitting to sexual advances or demands for sexual favors
 - 3.3.7 Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes
 - 3.3.8 Without any nexus to official work, the act of persistent watching, stalking, repeated contacting of a person despite objecting such conduct. Offering and/or giving gifts or leaving objects that are sexually suggestive
- 3.4 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:
- 3.4.1 Implied or explicit promise of preferential treatment in employment; or
 - 3.4.2 Implied or explicit threat of detrimental treatment in employment; or
 - 3.4.3 Implied or explicit threat about present or future employment status; or
 - 3.4.4 Interference with work or creating an intimidating or offensive or hostile work environment; or
 - 3.4.5 Humiliating treatment likely to affect health or safety.
- 3.5 "Aggrieved person/Complainant": In relation to a workplace, a woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent/s and includes contractual, temporary, visitors, customers and those on deputation at BFDL Workplace and covered in the scope of the policy.
- 3.6 "Respondent": Any person against whom a complaint of sexual harassment has been made by the aggrieved person.
- 3.7 "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

- 3.8 includes a co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.
- 3.9 “Workplace”: In addition to the place of work [Head office / Branch offices / any other office / place of business] it shall also include any place where the aggrieved person or the respondent visits in connection with her work, during the course of and/or arising out of employment/ contract/ engagement with BFDL, including transportation provided for undertaking such a journey.
- 3.10 “Employer”: A person responsible for management, supervision and control of the workplace. It also covers person discharging contractual obligations with respect to his or her employment.

4. POLICY GUIDELINES

4.1 ROLES AND RESPONSIBILITIES

- 4.1.1 It is mandatory for all employees, including trainees, management trainees, apprentices, interns, staff, full time employees both permanent and on probation and temporary employees who are appointed at any office of the Company in India and for whom Company discharge its role as a ‘Principal Employer’ to undergo training on POSH policy at the time of joining/deputation at the Company.
- 4.1.2 It is the responsibility of all Employees to respect the rights of women employees and to never encourage harassment against women employees. It can be done by:
- 4.1.2.1 Refusing to participate in any activity which constitutes harassment against women.
- 4.1.2.2 Supporting the person to reject unwelcome behaviour.
- 4.1.2.3 Acting as a witness if the women employee being harassed decides to lodge a complaint with the Internal Complaints Committee (“ICC”).
- 4.1.3 Further, all Employees are encouraged to advise others to desist such acts, if they notice about any unwelcome behaviour. Often, some behaviours are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behaviour.
- 4.1.4 Responsibilities of Managers: All managers at BFDL must ensure that no woman employee is subject to sexual harassment. They must also ensure that their reportees are apprised that BFDL has zero tolerance against offence of sexual harassment against women and that the Complainant, Respondent/s, or witnesses are not victimized in any manner.
- 4.1.5 Awareness sessions shall be organized at regular intervals to:
- 4.1.5.1 Disseminate this policy to all Employees along with the penal consequences of acts of sexual harassments.
- 4.1.5.2 Carry out orientation program for the members of the ICC.
- 4.1.5.3 Publish the names of ICC members.

4.2 SEXUAL HARASSMENT BY ANY THIRD PARTY

Where sexual harassment occurs as a result of an act or omission by any contractor employee/third party or outsider at their workplace, the Employer and person in charge of such contractor employee/third party or outsider shall have to take all steps necessary and reasonable to assist the aggrieved woman in terms of making a Compliant and inform BFDL of the same. It is choice of the aggrieved woman to pursue the Compliant, either at the Contractor workplace or BFDL.

4.3 CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE (“ICC”)

In compliance with the Act, if the Complaint warrants formal intervention, the Complainant needs to lodge a written Complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the Complaint and signatures of the Complainant will be obtained

4.4 COMPOSITION OF ICC

To prevent instances of sexual harassment and to receive and effectively deal with Complaints pertaining to the same, ICC is constituted at each location where the number of Employees is more than 10. The details of the ICC shall be displayed/made accessible to all Employees at the Workplace

4.4.1 Selection of the ICC: ICC will be constituted by the CEO, or any member nominated by the Board of the Company to appoint members of the ICC to review and address Complaints of sexual harassment. The Prevention of Sexual Harassment Policy derives its powers and functions from the Act.

4.4.2 Selection and composition of the ICC: This ICC consists of senior personnel of group employees and independent external personnel of social repute. The ICC shall be setup and governed as set out below:

4.4.2.1 The ICC shall consist of Presiding Officer who shall be a women employed at a senior level, not below grade GB07A who will be the Presiding Officer/ Chairperson of the ICC. If the Chairperson is not available for the meeting, any other senior women employee within the ICC, nominated by the CEO shall be required to preside over the ICC as the Chairperson for the ICC meeting.

4.4.2.2 The ICC shall consist of minimum two members, other than the Presiding Officer from amongst Employees, committed to the cause of women or who had experience in social work or having legal knowledge.

4.4.2.3 An external member familiar with issues relating to sexual harassment: The ICC must have one-woman member familiar with the issues relating to sexual harassment and may include any of the following:

- a) A social worker with experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular addressing workplace sexual harassment.
- b) A person who is familiar with labour, service, civil or criminal law.
- c) One half of the Members of the ICC shall at all times be women

4.4.2.4 The Presiding Officer of the ICC and every member of the ICC shall hold office for a period not exceeding three consecutive years, from the date of their nomination

4.5 FEES OR ALLOWANCES FOR MEMBER OF ICC

The member appointed from amongst non-government organizations shall be entitled to an allowance as agreed upon for holding the proceedings of the ICC and also the reimbursement of travel cost incurred in travelling by train in three tier air condition, air condition bus, and auto rickshaw or taxi, the actual amount spent by him/ her on travel whichever is less.

4.6 ACTION AGAINST ICC

Where the Presiding Officer or any Member of the ICC acts in any manner as set out below:

4.6.1 Contravenes the provisions of the clause 15 of this Policy; or

4.6.2 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

4.6.3 He/she has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or

- 4.6.4 Has abused his position as to render his continuance in office prejudicial to the public interest.
- 4.6.5 Such Presiding Officer or Member as may be the case, may be removed from the ICC and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the selection process set out in this policy.

4.7 COMPLAINT AGAINST SEXUAL HARASSMENT

Following procedure will be adhered to for resolution of grievances related to sexual harassment:

- 4.7.1 Any aggrieved woman employee may submit a written Complaint of the alleged incident to any representative of the ICC, within a period of 3 months from the date of incident and in case of series of incident, within a period of 3 months from the date of last incident, along with any documentary evidence available or names of witnesses, to initiate the review by ICC.
- 4.7.2 Where the aggrieved woman is unable to lodge a complaint with ICC, on account of her physical or mental incapacity or death or otherwise; then a legal heir may submit the Complaint in writing to the ICC.
- 4.7.3 The Complaints of sexual harassment may also be reported via e-mail at bfdlposh@bajajfinserv.in
- 4.7.4 The ICC can extend the timeline by another 3 months for reasons recorded in writing, if it is satisfied that there are bona fide reasons that prevented the aggrieved woman employee from lodging of the Complaint.
- 4.7.5 In case of a Complaint filed by another person on behalf of the Complainant (where the Complainant is in confidence) the facts of the Complaint will be assessed in order to determine whether a prima facie case of sexual harassment exists and whether intervention or some other assistance is required.
- 4.7.6 Indiscipline conduct: Care should be taken NOT to file malicious complaints with false allegations or use the ICC as a platform for harassing any person, else, upon being reasonably satisfied about a wrong/baseless Complaint by the Complainant, the same shall be construed as indiscipline conduct. Accordingly, the ICC shall refer the case to the Employer for being referred to Disciplinary Action Committee (DAC) for appropriate action in accordance with Disciplinary Action Policy.
- 4.7.7 The frequency of the ICC meeting shall be within 10 working days of receiving the Complaint.
- 4.7.8 The ICC is responsible for:
 - 4.7.8.1 Receiving Complaints of sexual harassment at the workplace.
 - 4.7.8.2 Initiating and conducting inquiry as per the established procedure.
 - 4.7.8.3 Submitting findings and recommendations of inquiries.
 - 4.7.8.4 Coordinating with the Employer in implementing appropriate action.
 - 4.7.8.5 Maintaining strict confidentiality throughout the process as per established guidelines.
 - 4.7.8.6 Submitting quarterly reports in the prescribed format.
 - 4.7.8.7 The list of nominated members of the ICC is provided under Annexure A.

5. RECEIVING A COMPLAINT (GUIDELINES)

- 5.1 Upon receipt of the Complaint under this Policy, A minimum quorum of 3 members of ICC - comprising of at least two women representatives with one of them being the external woman representative are required to be present for the meeting of the ICC to take place.
- 5.2 The Complainant should be advised that:
 - 5.2.1 Although the investigation process is confidential, the Respondent needs to be informed and any witnesses and persons directly involved in the Complaint process will also learn of the Complainant's identity.
 - 5.2.2 Care is taken to prevent any disadvantage to or victimization of either the Complainant or the Respondent.

6. RESOLUTION PROCESS THROUGH CONCILIATION

- 6.1 Once the Complaint is received, before initiating the inquiry, the ICC may take steps to conciliate the Complaint between the Complainant and the Respondent. This is only if requested by the aggrieved women employee/Complainant.
- 6.2 No monetary settlement shall be made as a basis of conciliation.
- 6.3 It is made clear to all parties that conciliation in itself does not necessarily mean acceptance of offence by the Respondent. It is a practical mechanism through which issues are resolved or misunderstandings may get clarified, if the Complainant, suo motu, opts for doing so.
- 6.4 In case a settlement is arrived at, the ICC shall record the settlement in writing and forward the same to BFDL for taking appropriate action as specified in the recommendation. Copies of the Settlement report shall be provided to the Complainant and Respondent.
- 6.5 Where the Settlement is arrived at vide Conciliation, no further inquiry is conducted by the ICC.

7. RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY

- 7.1 Conducting inquiry
- 7.2 The ICC initiates inquiry in the following cases:
 - 7.2.1 No conciliation is requested by aggrieved woman employee/Complainant.
 - 7.2.2 Conciliation has not resulted in any settlement.
 - 7.2.3 Where the Respondent proceeds to make an inquiry into the Complaint.
 - 7.2.4 An inquiry may be initiated if the Complainant informs ICC that any term or condition of the settlement arrived through conciliation, has not been complied with by the Respondent.
- 7.3 Interim relief to Complainant during the pendency of inquiry by the ICC and based on a written request made by the Complainant, the ICC may recommend the Chief Human Resource Officer to:
 - 7.3.1 Transfer the Complainant or the Respondent to any other workplace, if requested and feasible or
 - 7.3.2 Grant leave to the Complainant up to a period of three months, in addition to the leave she would be otherwise entitled.
 - 7.3.3 Grant such other relief to the Complainant as may be appropriate
 - 7.3.4 Prevent the Respondent from assessing Complainant's work performance, in case the Respondent is a reporting manager of the Complainant or in a position to influence the performance of the Complainant.
 - 7.3.5 Once the recommendations of interim relief are implemented, BFDL will inform the ICC regarding the same.

7.4 Manner of inquiry into the Complaint

- 7.4.1 Subject to the provisions at the time of filing the Complaint for the offence of sexual harassment, the Complainant shall submit to the ICC, a copy of the Complaint along with supporting documents and the names and addresses of the witnesses.
- 7.4.2 On receipt of the Complaint, the ICC shall meet the Complainant to record the details of the Complaint and review the evidence submitted to substantiate the Complaint.
- 7.4.3 ICC shall communicate to the Complainant and Respondent about the initiation of inquiry.
- 7.4.4 A copy of Complaint shall be sent by the ICC to the Respondent and the Respondent shall be required to file his reply to the Complaint along with his list of evidence and names and addresses of witnesses within a period not exceeding five (5) working days from the date of the receipt of the Complaint from the ICC. The Respondent shall be provided with full opportunity to respond and submit evidence if any.
- 7.4.5 Both the Complainant and the Respondent may be called upon by the ICC for explanation and deposition, based on the which the inquiry shall be conducted and concluded. If the Complainant or Respondent against whom Complaint is made desires any witness (es) to be called, the same shall be communicated in writing to the ICC along with the names of the proposed witness(es).
- 7.4.6 If the Complainant desires to tender any documents by way of evidence before the ICC, she shall supply original copies of such documents. Both shall affix their signatures on the respective documents to certify these to be original copies.
- 7.4.7 The ICC is required to review the authenticity of the documents/evidence provided to them by either of the parties. They are also required to meet with the witnesses and record their statements.
- 7.4.8 No legal practitioner is permitted to represent any party in their case at any stage of the proceedings before the ICC.
- 7.4.9 The ICC shall make inquiry into the Complaint in accordance with the principles of natural justice and for this purpose the ICC 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 matters namely:
 - 7.4.9.1 Summoning and enforcing the attendance of any person and examining him/her on oath
 - 7.4.9.2 Requiring the discovery and production of evidence; and
 - 7.4.9.3 Any other matter which may be prescribed
 - 7.4.9.4 In conducting the inquiry, a minimum of three members of the ICC including the Presiding Officer/ Chairperson shall be present.
- 7.4.10 Under no circumstances, can the confidentiality of the information be compromised in any manner whatsoever with any person who is not associated with the inquiry, except with the ICC and related senior management team. Breach of confidentiality shall be treated as misconduct which will be dealt with in accordance with Disciplinary Actions Policy.
- 7.4.11 Within 10 days from the completion of the inquiry, the ICC shall provide the findings of the inquiry to BFDL and copy of the report shall also be provided to the Complainant and the Respondent.

8. ACTIONS TO BE TAKEN AFTER INQUIRY

The documents pertaining to the inquiry shall be maintained by the Human Resource Department and will be securely stored for future reference; if any:

9. COMPLAINT SUBSTANTIATED:

Upon completion of inquiry, a detailed report with recommendation shall be prepared and submitted to the concerned employee(s) by the Chief Human Resources & Admin Officer. The disciplinary action initiated against the accused person(s) found guilty of the offence of sexual harassment and the decision taken therefrom, shall be final and binding.

Where the ICC arrives at the conclusion that the allegation against the accused party has been proved, the ICC may provide its recommendations to the Chief Human Resources & Admin Officer to take necessary action for sexual harassment as misconduct, in accordance with the applicable laws, rules and policies, and this may include:

- a) Counselling
- b) Written apology to be tendered by the Accused (respondent)
- c) Termination
- d) Change of location/duty/demotion.
- e) Withholding of benefits and perks, and/or promotion.
- f) Written warning
- g) Criminal proceedings
- h) Any other appropriate action as may deem fit under the policy

The Chief Human Resources & Admin Officer at BFDL acts upon the recommendations within 60 days and confirm to the ICC.

Action in terms of monetary punishment: If the ICC deems it suitable for any sum to be paid to the Complainant, by the Respondent, the sums shall be decided based on the following and after due ratification by the Chief Human Resources & Admin Officer/CEO:

- a) The mental trauma, pain, suffering, and emotional distress caused to the aggrieved woman.
- 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 accused party.
- e) Feasibility of such payment in lump sum or in instalments.
- f) In case the ICC finds the degree of offence within the scope of the Indian Penal Code, 1860; then this fact shall be mentioned in its report and appropriate legal recourse shall be sought by the Management in such cases.

9.1 MALICIOUS ALLEGATIONS

Where the ICC arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant 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 Chief of Human Resources & Admin Officer/CEO as the case may be, to take actions against the woman or person making the Complaint as per the Disciplinary Actions Policy applicable to false evidence.

9.2 TERMINATION OF INQUIRY

The ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the Complaint, if the Complainant or the Respondent fails without sufficient reason to present herself or himself for three (3) consecutive hearings convened by 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 accused party.

10. APPEAL

Any party aggrieved by the implementation or non-implementation of the recommendations made by the ICC may appeal to the Appellate Authority in accordance with the provisions of the Acts and rules, within 90 days of the recommendations being communicated.

11. PROHIBITION OF RETALIATION

Retaliation of any kind against anyone who is involved in the inquiry of or in making an allegation of sexual harassment is prohibited and will result in disciplinary action against the retaliator, including termination of employment.

12. CONFIDENTIALITY- NON-DISCLOSURE OF THE COMPLAINT

12.1 The identity and address of the aggrieved woman, accused party and witness, any information relating to conciliation, enquiry and proceedings or recommendations of the ICC as the case may be and the action taken by BFDL shall not be disclosed, published, communicated or made known to the public, press and media in any manner, except the Company may decide to communicate the broader guidelines of the incident on “no names” basis in order to prevent recurrence of such issues within the Company.

12.2 Penalty for Contravention: If any person contravenes by disclosure of the Complaint or recommendations as may be the case, BFDL shall recover a sum of ₹5,000/-, clause 12 of the revised notification issued in the gazette published on December 9, 2013, by the 'Ministry of Women & Child Development'. Further, such violation would be construed as “breach of trust” and BFDL shall have the discretion to initiate civil / criminal action against such person.

13. MISCELLANEOUS

Reporting of ICC: ICC carrying out the inquiry will report to the BFDL. If required, they may seek assistance any other department other than the department from where the Complaint has been received, the Company will make appropriate arrangement to facilitate the inquiry by the ICC. Grievance against any member of ICC should be addressed to the CEO of the Company.

14. MIS & REPORTING GUIDELINES

All inquiries will be tracked and reported via a quarterly dashboard to the management team and all sensitivity with regards to investigations shall be adhered to and reasonable judgment shall be exercised on the disclosure of facts in each case. The quarterly reporting grid shall be as follows:

S.No	Location	Severity	Related dept. where the incident has occurred	Name of Investigating committee	Investigation start date	Current status	Detailed update	Closure Date	Closure TAT

All cases which are not resolved through the internal governance mechanism due to the need for legal recourse shall also be tracked and reported by the Legal department as per the progress made at regular intervals. This would be shared with the CEO periodically.

Sr. No	Incident category	Severity	Related dept. where the incident has occurred	Legal recourse initiation date	Detailed update	Case success status	If closed, then status on the outcome	Resolution TAT	Case learning and recommendations to the internal governance committee

15. PREPARATION OF QUARTERLY REPORT

The Quarterly Report shall be submitted for each calendar year to the District Officer and the CEO by the HR Department. The quarterly report shall contain the details as below:

a) Number of Complaints of sexual harassment received in the year;

- b) Number of Complaints disposed of during the year;
- c) Number of cases pending for more than 90 days;
- d) Number of workshops or awareness programs against sexual harassment carried out;
- e) Nature of action taken by the Company

16. ANNEXURE - A (IC MEMBERS)

INTERNAL COMMITTEE (ICC) MEMBERS	NOMINATED INTERNAL COMPLAINTS COMMITTEE (ICC) MEMBERS
Level 1/2 - Band (GB07A/ GB07B/ GB08A/ GB08B/ GB09) (Woman employee who will be the Chairperson of the IC)	Jolly Ramtri
Level 1/2 - Band (GB07A/ GB07B/ GB08A/ GB08B/ GB09) (Two other members other than the Presiding Officer)	Deepak Ray, Ritesh Koul, Anuradha Rane, Priyanka Khinvasara, Manish Kalyani, Manish Bararia, Siddesh GR, Anshuman Mishra, Gavaskar M, Priti Agarwal, Vikas Bijlani, Meetal Kadam
General Counsel, Committee Member / Head Legal	Manish Jain
Chief Human Resources & Administration Officer, Committee Member	Shantanu Mitra
One Senior Level Lady Advocate & / or A Senior Lady representing a non-governmental organization/ association committed to the cause of women, or who has legal expertise/ experience in the field of social work or as an external woman representative of the committee	Sneha Khandekar
In case of any external advice sought pertaining to POSH cases	

17. ANNEXURE - B (ACTS OF SEXUAL HARASSMENT ARE COVERED BY THE FOLLOWING PROVISIONS OF LAW)

LEGISLATION (ACT)	SECTION	DESCRIPTION OF OFFENCE	PUNISHMENT
Indian Penal Code	292	Distribution, exhibition, convey, advertise, attempt to do any obscene act	First conviction: 2 years imprisonment and with fine. Second conviction: Imprisonment may extend to 5 years and with fine
Indian Penal Code	294	Obscene acts and songs	Imprisonment up to 3 months or with fine or both.
Indian Penal Code	341	Punishment for wrongful restraint	Imprisonment up to 1 month or fine or both.
Indian Penal Code	354	Assault or criminal force to woman with intent to outrage her modesty	Imprisonment, which shall not be less than 1 years but may extend to 5 years along with fine.
Indian Penal Code	354-A	Sexual harassment and punishment for sexual harassment	Rigorous imprisonment of 1 year to 3 years or with fine or both.
Indian Penal Code	354-B	Assault or use of criminal force to woman with intent to disrobe	Imprisonment from 3 years to 7 years along with fine.

LEGISLATION (ACT)	SECTION	DESCRIPTION OF OFFENCE	PUNISHMENT
Indian Penal Code	354-C	Voyeurism	First conviction: 1 year imprisonment, subject to a maximum of 3 years imprisonment and with fine. Second conviction: Imprisonment to be at least for a period 3 years and subject to maximum of 7 years and with fine and with fine
Indian Penal Code	354-D	Stalking	First conviction: 3 years imprisonment and with fine. Second conviction: Imprisonment may extend to 5 years and with fine
Indian Penal Code	375 & 376	Rape & Punishment for Rape	Rigorous imprisonment up to 7years but may extent to life imprisonment along with fine.
Indian Penal Code	509	Word, gesture, or act intended to insult the modesty of a woman	Up to 3 years of imprisonment along with fine.
Information Technology Act	67	Punishment for publishing or transmitting obscene material in electronic form	First conviction: 3 years and with fine which may extend to 5 lakh rupees. Second conviction: Imprisonment may extend to five years and also, with fine which may extend to ten lakh rupees
Information Technology Act	67A	Punishment for publishing or transmitting any sexually explicit act etc., in electronic form.	First conviction: 5 years and with fine which may extend to 10 lakh rupees. Second conviction: Imprisonment may extend to 7 years and also, with fine which may extend to ten lakh rupees

18. HISTORY OF CHANGES

DETAILS OF CHANGE (S)	REFERENCE OF CHANGE	CHANGE DATE	AUTHOR
Document Series and Formatting, Addition to list incidents leading to POSH (Indicative)	Clause 3, Overall Document	1-SEP-23	Anuprita Supekar
Revisited Committee members	Addition/Changes in IC members	1-SEP-23	Jolly Ramtri
Reviewed as per legal standards	Overall Document	1-SEP-23	Manish Jain