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INTRODUCTION

Government of India (**GOI**) through its official gazette of India made it mandatory for companies to form an Internal Compliance Committee to redress issues related to sexual harassment of women at workplace. In this regard, GOI formulated a new Act named as “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 (“**Act**”) along with “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (“**Rules**”). To be in compliance of the said Act and Rules, this policy (“**Policy**”) is formulated which will govern the matters related to redressal of complaints, formulation and proceedings of the Internal Complaints Committee. This Policy is adopted by Purple Finance Limited (“the Company”):

1. Objective:

The Policy's objective is to create an environment free from sexual harassment. It prohibits, prevents, and discourages any kind of sexual harassment and provides protection against sexual harassment to all Employees at the Workplace but not limited to the office premises and other locations directly related to the Company's business, and also gives them a platform for redressal of complaints and grievances against sexual harassment. The Policy is formed on the basis of POSH (Prevention of Sexual Harassment) Act, 2013. It not only protects women from sexual harassment but also provides a safeguard to any Employee against any sexual harassment and false or malicious charges.

The objective of POSH (Prevention of Sexual Harassment) Act, 2013 and the Rules framed thereunder is committed to creating ease and maintaining a safe and secure work environment, free from sexual harassment whereby its employees are expected to treat their co-workers with respect, dignity and in a professional manner.

At Purple Finance Limited, there is zero-tolerance for sexual harassment and the Company wishes to protect each employee's dignity and self-respect.

2. Scope:

This Policy extends to all categories of employees of the Company working at Workplace on regular or temporary basis, either directly or through any agent, 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. Purple Finance will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates. Further, the Policy is deemed to be incorporated in the service conditions of all categories of employees of the Company across India.

3. Definitions:

Sexual harassment may occur not only when a person uses sexual behavior to control, influence or affect another person's career, salary or job, but also between co-workers. It may also occur between an Employee and someone that Employee deals with in the course of his/her work who is not employed by the Company.

• “**Sexual Harassment**” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

1. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:

- a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit;
 - b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and/or implicit sexual connotation/overtone, molestation;
 - c. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will;
 - d. Demand or request for sexual favors;
 - e. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
 - g. Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.;
 - h. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - i. Giving gifts or leaving objects that are sexually suggestive;
 - j. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; Persistent watching, following, contacting of a person; and
 - k. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
2. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:
- a. Implied or explicit promise of preferential treatment in employment;
 - b. Implied or explicit threat of detrimental treatment in employment;
 - c. Implied or explicit threat about the present or future employment status;
 - d. Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - e. Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the aggrieved employee.

- **“Aggrieved Employee”** In relation to a workplace, an employee, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **“Complainant”** Any aggrieved employee who makes a complaint alleging sexual harassment under this policy.
- **“Respondent”** A person against whom a complaint of sexual harassment has been made by the aggrieved employee under this policy.
- **“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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.

• **“Special Educator”** means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

• **“Workplace”**

- i. Premises, locations, establishments, enterprises, institutions, offices, branches or units established subsidiaries which are controlled by the Company;
- ii. Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.

• **“Employer”** A person responsible for management, supervision and control of the workplace.

4. Roles & Responsibilities:

1. Responsibilities of Individuals: It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment;
- b. Supporting the person to reject unwelcome behavior;
- c. Acting as a witness if the person being harassed decides to lodge a complaint.

All are encouraged to advise others of unwelcome behavior. Often, some behaviors 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 behavior.

2. Responsibilities of Employer or Manager: The Employer or Manager must ensure that nobody is subject to harassment and there is equal treatment. He or She must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

5. Redressal Mechanism – Formal Intervention:

In compliance with the Act, if the Complainant 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.

a. Internal Complaints Committee (Henceforth known as ‘Committee’):

To prevent instances of sexual harassment and to receive and effectively deal with complaints about the same, the Committee has been appointed for all employees of the Company. The details of the Committee is notified to all covered persons at the locations (workplaces). Committee details are in -**Annexure – 1**

1. Presiding Officer: A woman employed at a senior level in the organization or workplace;
2. At least 2 members from amongst Employees committed to the cause of prevention of sexual harassment or who have had the experience of social work or have the legal knowledge;

3. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment;

4. At least one-half of the total members nominated are women.

b. The committee will be responsible for:

1. Receiving complaints of sexual harassment at the workplace;
2. Initiating and conducting an inquiry as per the established procedure;
3. Submitting findings and recommendations of inquiries;
4. Coordinating with the employer in implementing appropriate action;
5. Maintaining strict confidentiality throughout the process as per established guidelines;
6. Submitting annual reports in the prescribed format.

c. Tenure:

The Presiding Officer and every member of the Committee shall hold office for such period, not exceeding 3 (three) years, from the date of their nomination.

6. Lodging a Complaint:

The Complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the Committee Members at the Workplace. The complaint must be lodged within 3 months from the date of the incident/ last incident. The Committee can extend the timeline by another 3 months for reasons recorded in writing if satisfied that these reasons prevented the lodging of the complaint. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Committee shall render all reasonable assistance to the Employee for making the complaint in writing.

If the Aggrieved Employee is unable to complain about the account of their incapacity, the following may do so on their behalf, with their written consent.

- a. Legal heir, relative, or friend;
- b. Co-worker; and
- c. Any person knowing about the incident.

If the Aggrieved Employee is unable to make a complaint on account of their mental incapacity, a complaint may be filed by:

- a. their 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 is receiving treatment or care; or
- e. any person who knows about the incident jointly with the Aggrieved Employee's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care

If the Aggrieved Employee is deceased, a complaint may be filed by any person who knows about the incident, with the written consent of her legal heir.

If the initial complaint is made to a person other than a Committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

7. Receiving a Complaint (guidelines):

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint:

- a. Complaints are listened to and the Complainant is informed that the Company takes the concerns seriously. The Complainant is informed that these concerns will be reported to the appropriate Committee and follow-up will be done speedily.
- b. Situations are not pre-judged. Written notes are to be taken while listening to the person. When taking notes, Complainants' own words, where possible, are to be used accurately. A clear description of the incident in simple and direct terms is prepared and details are confirmed with the Complainant.
- c. All notes are kept strictly confidential. The Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- d. The Complainant is advised that although the 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.

Care is taken to prevent any disadvantage to or victimization of either the Complainant or the Respondent.

8. Resolution procedure through conciliation:

Once the complaint is received, before initiating the inquiry, the Committee may take steps to conciliate the complaint between the Complainant and the Respondent. This is only if requested by the Aggrieved Employee. The Committee may before initiating any inquiry and at the request of the Aggrieved Employee take steps to settle the matter between the Complainant and the Respondent through conciliation; provided, that no monetary settlement shall be made as a basis of conciliation.

In case a settlement is arrived at, the Committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of the complaint.

The Committee shall provide copies of the settlement to the Complainant & Respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.

9. Resolution procedure through formal inquiry:

The Committee will initiate an inquiry in the following cases:

- No conciliation is requested by an Aggrieved Employee
- Conciliation has not resulted in any settlement

- Complainant informs the Committee that any term or condition of the settlement arrived through conciliation, has not been complied with by the respondent

10. Manner and Procedure of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses if any.
- The Committee will hold a meeting with the Complainant within 7 days of receipt of the complaint,
- At the first meeting, the Committee Members shall hear the Complainant and record their allegations. The Complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate their complaint.
- The Committee shall proceed with the inquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the Committee will send 1 copy of the complaint to the Respondent within 7 working days of receiving the complaint.
- Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.
- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the Respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- The Committee shall call upon all witnesses mentioned by both parties.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure.
- The Committee is to inquire into the complaint by the principles of natural justice.
- In conducting the inquiry, a minimum of three Committee Members including the Presiding Officer are to be present.
- The employer shall provide all necessary assistance to ensure full, effective, and speedy implementation of this policy
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- In the event, that the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offense of Sexual Harassment, the same would be dropped after recording the reasons thereof.

If the Complainant or Respondent desires to cross-examine any witnesses, the Committee facilitates the same and record the statements. In case the Complainant or Respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties. The inquiry procedure is mentioned below:

a) Interim relief:

During the pendency of the inquiry, on a written request made by the Complainant, the Committee may recommend to the employer to:

- Transfer the Complainant or the respondent to any other Workplace;
- Grant leave to the Aggrieved Employee of a maximum of 3 months, in addition to the leave she would be otherwise entitled;
- Prevent the respondent from assessing the Complainant's work performance;
- Grant such other relief as may be appropriate Once the recommendations of interim relief are implemented, the same is informed to the committee.

b) Termination of Inquiry:

The Committee may terminate the inquiry or give an ex-party decision, if the Complainant or Respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15-day written notice is to be given to the party, before termination of inquiry or ex-party order.

c) Action to be taken after inquiry:

Post the inquiry, the Committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

d) Action during pendency of Inquiry:

1. During the pendency of an inquiry, on a written request made by the Aggrieved Employee, the Committee may recommend to the Head- Human Resource department to-
 - i. Transfer the Aggrieved Employee or the Respondent to any other Workplace; or
 - ii. Grant leave to the Aggrieved Employee upto a period of three (3) months; or
 - iii. Restrain the respondent from reporting on the work performance of the aggrieved employee or writing their confidential report and assign the same to another officer.
2. The leave granted to the Aggrieved Employee as above shall be in addition to the leave they would be otherwise entitled.
3. On the recommendations of the Committee, the Company shall implement the recommendations made above and send the report of such implementation to the Committee.

e) Complaint unsubstantiated:

When the Committee concludes that the allegation against the Respondent has not been proved, it recommends to the Employer that no action is required to be taken in this matter. Further, the Committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the Company.

f) Complaint substantiated:

When the Committee concludes that the allegation against the Respondent has been proved, it recommends to the Employer to take necessary action for sexual harassment as misconduct, by the applicable service rules and policies, and this may include:

- i. Counseling;
- ii. Censure or reprimand;
- iii. Apology to be tendered by respondent;
- iv. Written warning;
- v. Withholding promotion and/or increments;
- vi. Suspension;
- vii. Termination or any other action that the employer may deem fit.

The Company is required to act upon the recommendations within 60 days and confirm to the Committee. Post implementation of the actions, follow-up with the Complainant should also occur to ascertain whether the behavior has stopped, whether the solution is working satisfactorily, and if no victimization of either party is occurring.

g) Penal Consequences of Sexual Harassment:

In case the Committee finds the degree of offense coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the employer, for making a Police Complaint. Under the Indian Penal Code, (IPC), the newly introduced Section (S. 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested without a warrant.

h) Malicious Allegations:

Where the Committee concludes that the allegation against the Respondent is malicious or the Aggrieved Employee or any other person making the complaint has made the complaint knowing it to be false or the Aggrieved Employee or any other person making the complaint has produced any forged or misleading document, it may recommend to the Employer to act against the Employee or the person making the complaint.

While deciding on malicious intent, the Committee should consider that mere inability to substantiate a complaint need not mean malicious intent.

i) Confidentiality:

The identity of the Complainant, Respondent, witnesses, statements, and, other evidence obtained in the course of the inquiry process, recommendations of the Committee, and the action taken by the Employer are

considered confidential materials, and not published or made known to the public or media. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

j) Appeal:

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made may make an appeal in the manner clearly mentioned in the POSH Act, within 90 days of the recommendations being communicated to them.

k) Awareness:

Awareness sessions are to be organized to:

- Formulate and widely disseminate an internal policy or declaration for prohibition, prevention, and redressal of sexual harassment at the Workplace intended to promote gender-sensitive safe spaces and remove underlying factors that contribute to a hostile work environment against Employees.
- Carry out orientation programs and seminars for the Members of the Committee.
- Conduct capacity-building and skill-building programs for the Members of the Committee.
- Declare the names and contact details of all the Members of the Committee.

l) Legal Compliance:

The Committee shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the Employer and the District Officer (as defined in the Act). The report shall have the following details:

- Number of complaints of Sexual harassment received in the year;
- Number of complaints disposed of during the year;
- Number of cases pending for more than 90 days;
- Number of workshops or awareness programs against Sexual Harassment carried out;
- The Company may amend or revise this Policy as and when it finds it necessary to do so; however, the Policy shall follow the Act. Further, Employees shall be informed of changes, if any, in the Policy through the HRMS system.

ANNEXURE – 1

Members of the Internal Compliance Committee:

Presiding Officer	Shradha Padhi Designation – Chief People Officer Tel: 9437010209 Email: shradha.padhi@purplefinance.in
External Member	Ruchita Gandhi Tel: 9870336429 Email: gandhi.ruchita@gmail.com
Employee (Internal)	Souvik Dasgupta Designation – Chief Business Officer Tel: 8879090182 Email: souvik.dasgupta@purplefinance.in
Employee (Internal)	Mrinalini Sahai Designation – Assistant Vice President Tel: 9833490645 Email: mrinalini.sahai@purplefinance.in
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