

BAJAJ HOLDINGS & INVESTMENT LTD.

PREVENTION OF SEXUAL HARASSEMENT AT WORKPLACE

(Prevention, Prohibition & Redressal)

Effective from 01st April 2023

Authority	Name & Designation
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1. PURPOSE & BACKGROUND

Bajaj Holdings & Investment Ltd. ("BHIL") is committed to creating 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. We 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.

The company has a policy on 'Sexual Harassment', which was published on 27th Oct 2012 and the same is superseded by this policy with immediate effect. 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 C' annexed to this policy.

The law in India is aimed to protect women at the workplace, however as an equal opportunity employer, the company's policy extends to all employees, Staff and third-party employees, irrespective of gender. The IC while conducting inquiries from all parties not envisaged under the 2013 Act and Rules shall rely on the Firm's code of conduct policy (MISCONDUCT) in recommending action to Management.

The policy does not limit its scope to the definition of aggrieved women as per the statute, our policy extends to aggrieved person and extends to all employees, third party, vendors, visitors, customers, consultants, irrespective of gender of complainant and Respondent.

Accordingly, this policy is deemed to be incorporated in the employment rules or terms of employment/agreement of all Staff. Sexual harassment is to be considered a MISCONDUCT and attracts penal consequences as envisaged in the Act and code of conduct policy.

2. POLICY SCOPE & APPLICABILITY

All employees of Bajaj Holdings & Investment Ltd., are governed under this policy, 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/or offshore offices and for whom any of the abovementioned 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 employees/person(s) may be subject to any kind of sexual harassment or be **perpetrators of sexually inappropriate behavior** as a result of an act by:

- i. a third party
- ii. independent contractor and/ or outsider while on official duty

It shall also cover 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) during the course of or in connection with the conduct of his/her employment duties and obligations.

This Policy comes into force with immediate effect.

3. DEFINITIONS

Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. In course of their work, it may also occur between a BHIL employee and a third-party person who is not employed by the Company but engaged by the company in any manner.

- 3.1 The definition of "Sexual Harassment" under the Act would be the guiding principle. to include any one or more of the following unwelcome acts or behavior (whether directly or by implication but is not limited to):
 - 3.1.1 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 as prescribed by the 'Act', namely:
 - Physical contact, gestures and advances;
 - Demand or request for sexual favors;
 - Making unwelcome sexual advances, gestures or requests for sexual favors in person, through suggestions including using any electronic media and/or communication method such as E-mail, SMS, WhatsApp, etc.
 - Making sexually colored remarks and offensive visual conduct; or
 - Showing pornography; or
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
 - Using any communication method or social networking sites viz. E-mail, SMS, WhatsApp, etc. for transmitting messages or pictures that are sexually explicit or implied in nature.
 - 3.1.2 Creating an intimidating, hostile or offensive working environment or atmosphere either by:
 - Verbal conduct such as epithets, derogatory comments or remarks of a sexual nature about person's clothing or body, taunts, slurs, offers of employment or promotion benefits or monetary 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, kidding or demeaning language.
 - Any unwanted physical contact of a sexual nature including sexually suggestive or offensive touching or deliberate brushing against another's body. Also, conduct against any person, which tantamount to physical assault with intent to disrobe, hitting, kicking pushing, blocking normal movement or intentional physical interference with work.

- Visual conduct such as leering or the display of derogatory or sexually suggestive or explicit posters, photography, graffiti, drawings, gestures, inappropriate text messages with sexual contour or objects, sexually suggestive or obscene notes, letters, email, internet information, voyeurism
- Making, publishing, transmitting or posting obscene or sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, WhatsApp, etc.
- 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
- Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes
- Without any nexus to official work, the act of persistent watching, stalking, repeated contacting of a person despite objecting to such conduct
- Offering and/or giving gifts or leaving objects that are sexually suggestive
- Any other act, behaviour (physical or otherwise) or conduct which in the opinion of judicial authorities is adjudicated as covered by the act as sexual harassment.

3.1.3 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 may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment; or
- Implied or explicit threat of detrimental treatment in employment; or
- Implied or explicit threat about present or future employment status; or
- Interference with work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect health or safety

3.2 Aggrieved person/Complainant:

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 and includes contractual, temporary, visitors.

3.3 Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved person

3.4 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 by any other such name

3.5 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 their work, during the course of and/or arising out of employment/ contract/ engagement with BHIL, including transportation provided for undertaking such a journey

- 3.6 Any allegations of sexual harassment arising from 'out of office hours conduct' of the aggrieved person or the respondent will also be tested on the touchstone of such harassment being a consequence of/out of/from the relationship of the concerned parties as co-workers and the alleged complaint shall be treated as per this policy.
- 3.7 Employer: A person responsible for management, supervision and control of the workplace. It also covers person discharging contractual obligations with respect to their employment

4. POLICY GUIDELINES

4.1 ROLES & RESPONSIBILITIES

- 4.1.1 Responsibilities of Individual: It is the responsibility of all employees to respect the rights of all employees and to never encourage harassment against employees. It can be done by:
- Refusing to participate in any activity which constitutes harassment against any person;
 - Supporting the person to reject unwelcome behavior;
 - Acting as a witness if any person, being harassed, decides to lodge a complaint with the internal complaints committee
 - **IF YOU SEE SOMETHING SAY SOMETHING**
If any employee notices inappropriate or unwelcome behavior in the work environment, they are encouraged to advise the person to modify or stop the same. 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.
 - **REPORT TO DAC**
If an employee notices inappropriate or unwelcome behavior in the work environment, they are encouraged to report the same to the ethics and compliance team by following reporting mechanism mentioned in clause 6.3.
- 4.1.2 Responsibilities of Managers: All managers at BHIL must ensure that no employee is subject to harassment. They must also ensure that their reportees are apprised that BHIL has zero tolerance against sexual harassment at the workplace and that the complainant, respondent/s, or witnesses are not victimized in any manner.
- 4.1.3 **THIRD PARTY HARASSMENT**
Where sexual harassment occurs as a result of an act or omission by any contractor employee/third party or outsider at their premises, 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 person in terms of support and preventive action. However, in the event if a contractor employee/third party or outsider commits harassment in BHIL premises and/or during transit in connection with work, during the course of and/or arising out of work, BHIL shall take necessary steps and provide the reasonable assistance to the aggrieved person in accordance with the Act.

5. REDRESSAL MECHANISM – FORMAL INTERVENTION

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 converted to a written complaint by the receiver of the complaint and consent of the complainant will be obtained.

Composition of Internal Committee (Henceforth known as "IC"): To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal Committee" ("IC") is constituted at the workplace.

- 5.1 The organization has published the list of members of th/e Internal Committee (IC), which will receive complaints and manage the redressal process for complaints of sexual harassment at workplace in terms of the provisions of the law. Details of the members, including their names and contact information are displayed at the office notice board and have also been published in the intranet web pages and will be updated on a periodic basis.
- 5.2 The IC shall consist of the following members nominated by the management: i) the Presiding Officer, ii) the External Member and iii) at least two members from the list of nominated IC members, who will address the complaint in the manner prescribed by law.
- 5.3 At least one-half of the members of the IC shall be women, including the Presiding Officer.
- 5.4 A minimum quorum of 3 members is required for investigating complaints, including the External Member.
- 5.5 Meeting frequency of the Internal Complaints Committee: The Internal Committee shall meet within seven (7) days of receiving the complaint. A minimum quorum of 3 members, 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 Internal Committee to take place.
- 5.6 Action against Internal Committee:
Where the Chairperson or any Member of the Internal Committee acts in any manner as set out below:
 - contravenes the provisions of this Policy; or
 - has been convicted for an offence or an inquiry into an offence is pending against them, under any law for the time being in force; or
 - they have been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against them; or
 - have abused their position as to render their continuance in office prejudicial to the public interest

Such Chairperson or Member, as may be the case, may be removed from the Internal Committee 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.

6. COMPLAINT OF SEXUAL HARASSEMENT:

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

- 6.1 Any aggrieved person who has sufficient reason to believe that they are being sexually harassed, directly or indirectly, may submit a written complaint of the alleged incident to any representative of the Internal Committee, along with any documentary evidence available or names of witnesses, to initiate the inquiry.
- 6.2 An aggrieved person can also address the complaint to their Reporting Manager/ Business Unit Head/ Human Resources Team representative/ Ethics and compliance team through various mediums including Email, Call or in-person.
- 6.3 Any incident of nature as explained in clause 3.1 above, could be reported via e-mail to: **BFSPOSH@bajajfinserv.in**
- 6.4 The complaint must be made within 3 months from the date of the incident/last incident
- 6.5 The Internal Committee 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 person from lodging of the complaint.
- 6.6 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.
- 6.7 Any employee who has knowledge of sexual harassment, or retaliation against a person who has reported sexual harassment, is required to report it to the Chief – HR & Admin Officer. Failure to report will result in appropriate disciplinary action.
- 6.8 Where the aggrieved employee is unable to make a complaint in writing, the Chairperson or any Member of the Internal Committee shall render all reasonable assistance to the employee for making the complaint in writing
- 6.8.1 On account of their physical incapacity, a Complaint may be filed by:
 - Their relative or friend or
 - Their co-worker; or
 - Any officer of the National Commission for Women or the State Women's commission (in case the aggrieved employee is a woman); or
 - Any person who has knowledge of the incident with the written consent of the aggrieved person.
- 6.8.2 On account of their mental incapacity, a complaint may be filed by:
 - Any person who has knowledge of the incident jointly with:
 - Their relative or friend; or
 - A special educator; or
 - A qualified psychiatrist or psychologist; or
 - The guardian or authority under whose care they are receiving treatment or care
- 6.8.3 Where the aggrieved person is for any other reason unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident with their written consent.

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

6.9 Indiscipline conduct:

Care should be taken NOT to file malicious complaints with false allegations or use the IC 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 IC shall refer the case to the Employer for being referred to Disciplinary Action Committee (DAC) for appropriate action in accordance with Disciplinary Action Policy of the employer.

7. RECEIVING A COMPLAINT (Guidelines)

The incidents of harassment would have to be dealt with utmost sensitivity. Complainants may be embarrassed and distressed, and it requires empathy while receiving the complaint.

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

- 7.1 The concerns stated by the Complainant are listened to and the complainant is informed that the IC handles them with utmost seriousness. Complainant is informed that the concerns will be reported to the IC and follow up will be done expeditiously. Situations are not to be pre-judged by the recipient of the complaint.
- 7.2 Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, care should be taken to note the complainant's own words, wherever possible. Clear description of the incident to be recorded in simple and direct terms, and thereafter, the said recorded details are confirmed with the complainant. Where possible, the understanding of the complaint reflected in the notes written should be re-confirmed by the complainant
- 7.3 All notes are to be kept strictly confidential. As pre-requisite, complainant's acceptance shall be obtained before taking up the matter with IC
- 7.4 The complainant should be advised that:
 - 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
 - Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent

8. RESOLUTION PROCESS THROUGH CONCILIATION

Once the complaint is received, before initiating the inquiry, the IC may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved person/complainant.

Provided that no monetary settlement shall be made as a basis of conciliation.

It is made clear to all parties that conciliation in itself does not necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings may get clarified, if the aggrieved person, Suo motto, opts for doing so.

In case a settlement is arrived at, the Internal Committee records & reports the same to the Employer for taking appropriate action.

Resolution through conciliation needs to happen within 14 (fourteen) working days of receipt of the complaint. The Internal Committee to provide copies of the settlement to the complainant & the respondent. Once the action is implemented, no further inquiry is to be conducted.

9. RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY

9.1 CONDUCTING INQUIRY

The Internal Committee initiates inquiry in the following cases:

- No conciliation is requested by aggrieved person/complainant;
- 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

The Committee proceeds to make an inquiry into the complaint within a period of seven (7) working days of its receipt or the original complaint/closure or conciliation/repeat complaint.

9.2 MANNER OF INQUIRY INTO THE COMPLAINT

- 9.2.1 Subject to the provisions at the time of filing the complaint for sexual harassment, the complainant shall submit to the Internal Committee, a copy of the complaint along with supporting documents and the names and addresses of the witnesses
- 9.2.2 On receipt of the complaint, the Internal Committee shall send one (1) copy to the Respondent within a period of seven (7) days
- 9.2.3 The Respondent shall file their reply to the complaint along with the list of documents, names and addresses of witnesses within a period not exceeding ten (10) working days from the date of the receipt of the complaint from the Internal Committee.
- 9.2.4 No legal practitioner is permitted to represent any party in their case at any stage of the proceedings before the Internal Committee.
- 9.2.5 The Internal Committee shall make inquiry into the complaint in accordance with the principles of natural justice and for this purpose the Internal Committee 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;
- Summoning and enforcing the attendance of any person and examining them on oath;
 - Requiring the discovery and production of documents; and
 - Any other matter which may be prescribed.
- 9.2.6 In conducting the inquiry, a minimum of three members of the Internal Committee including the Chairperson shall be present

9.2.7 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 committee and related senior management team. Breach of confidentiality shall be treated as misconduct which will be dealt with, in accordance with Disciplinary Action Policy of the employer.

9.3 INTERIM RELIEF TO COMPLAINANT DURING THE PENDENCY OF INQUIRY BY THE INTERNAL COMMITTEE

During the Pendency of an Inquiry and based on a written request made by the complainant, the Internal Committee may recommend the Chief Human Resource & Admin Officer to:

- Transfer the complainant or the respondent to any other workplace or
- Grant leave to the complainant up to a period of three months, in addition to the leave they would be otherwise entitled.
- Grant such other relief to the complainant as may be appropriate once the recommendations of interim relief are implemented (the employer will inform the committee regarding the same)
- Prevent the respondent from assessing complainant's work performance

9.4 TERMINATION OF INQUIRY

The Internal Complaints Committee 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 themselves for three (3) consecutive hearings convened by the Chairperson or the 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.

9.5 INQUIRY PROCEDURE

- 9.5.1 All proceedings of the inquiry shall be documented. At the first meeting, the Internal Committee members shall hear the complainant and record the complainant's allegations. The complainant can also submit any corroborative material with a documentary (both physical and/or electronic) proof, oral or written material, etc., to substantiate the complaint.
- 9.5.2 If the complainant does not wish to divulge personally due to embarrassment of narration of event, any officer as representative of the complainant may act on the complainant's behalf for the purpose of recording the statement.
- 9.5.3 The Internal Committee shall prepare and hand over the statement of allegations to the person against whom the complaint is made and give them an opportunity to submit a written explanation if they so desire, within seven (7) working days from receipt of the statement. The respondent shall be provided with full opportunity to respond and submit evidence, if any.
- 9.5.4 The IC interviews the respondent separately and impartially. IC states exactly what the allegation is and who has made the allegation.
- 9.5.5 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 Internal Committee along with the names of the proposed witness(es).

- 9.5.6 If the Complainant desires to tender any documents by way of evidence before the IC, they shall submit original copies of such documents. Both shall affix their signatures on the respective documents to certify these to be original copies
- 9.5.7 The Internal Committee 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
- 9.5.8 If the complainant or respondent desires to cross examine any witnesses, the IC shall facilitate the same and record the statements. In case complainant or respondent seeks to ask questions to the other party, they may give the questions to the IC wh shall ask them and record the statement of the other party,
- 9.5.9 The Internal Committee may call upon any documents (both physical and electronic) including but not limited to video/audio recordings, photographs, e-mails, text messages, WhatsApp (stored on handsets), mobile statements, credit card statements etc. which they deem can serve as evidence.
- 9.5.10 The Internal Committee shall review the inquiry and thereupon make a conclusion as to whether or not disciplinary or corrective action is warranted. Total time period for the entire inquiry should normally not exceed ninety (90) working days from the date on which the IC received the complaint

9.6 CONSIDERATIONS WHILE PREPARING INQUIRY REPORT

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity of being heard;
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings
- A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee

9.7 ACTIONS TO BE TAKEN AFTER INQUIRY

Post the inquiry the IC shall submit its report containing the findings and recommendations to the employer, within ten (10) working days of completion of the inquiry.

The findings and recommendations are reached from the facts established and is recorded accurately. The documents pertaining to the inquiry shall be maintained by the Human Resource Department and will be securely stored for future reference.

9.7.1 COMPLAINT UNSUBSTANTIATED

Where the Internal Committee arrives at the conclusion that the allegation against the accused party has not been proved, it shall recommend to the Chief Human Resources & Administration Officer that no action is required to be taken in the matter. Further, the IC ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither party will be disadvantaged by the Employer.

In the event, the complaint does not fall under the purview of Sexual Harassment, or the complaint does not mean an offence of Sexual Harassment, the same would be referred for taking up under the Disciplinary Action Policy.

9.7.2 COMPLAINT SUBSTANTIATED

Upon completion of inquiry, a detailed report with recommendation shall be prepared and submitted to the concerned person(s) by the Chief – Human Resources & Admin Officer.

The disciplinary action initiated against the person(s) found guilty of sexual harassment and the decision taken therefrom, shall be final and binding.

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

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

9.7.3 The Chief Human Resources & Admin Officer at BHIL to act upon the recommendations within sixty (60) working days and confirm to the Internal Committee.

9.7.4 Post implementation of the actions, follow up to be done with the complainant to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is to be undertaken by the complainant's Line Manager supported by HR.

9.7.5 Action in terms of monetary punishment: If the IC deems it suitable for any sum to be paid to the complainant, by the respondent, the sum shall be decided after due ratification by the Chief Human Resources & Admin Officer/Managing Director, based on the following:

- The mental trauma, pain, suffering and emotional distress caused to the aggrieved person
- The loss in the career opportunity due to the incident of sexual harassment
- Medical expenses incurred by the victim for physical or psychiatric treatment
- The income and financial status of the accused party
- Feasibility of such payment in lump sum or in installments

9.7.6 Where sexual harassment occurs as a result of an act or omission by any third party or outsider, BHIL shall take all necessary and reasonable steps to assist the affected person in terms of psychological, legal and financial support.

9.7.7 In case the Internal Committee 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. The company will provide assistance to the complainant, as deemed fit under the circumstances, to provide legal recourse if required.

9.8 **MALICIOUS ALLEGATIONS**

Where the Internal Committee 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/Managing Director as the case may be, to take actions against the person making the complaint as per the Disciplinary action policy applicable to false evidence.

10. APPEAL

Any party aggrieved by implementation or non-implementation of recommendations made by the Internal Committee may appeal to the appellate authority in accordance with the provisions of the Acts and rules, within ninety (90) working 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 person, accused party and witness, any information relating to conciliation, enquiry and proceedings or recommendations of the Internal Complaints Committee as the case may be and the action taken by the employer 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, the employer shall recover a sum of ₹5,000/-, as mentioned in the clause 12 of the revised notification issued in the gazette published on December 09, 2013 by the 'Ministry of Women & Child Development'. Further, such violation would be construed as "breach of trust" and the Employer shall have the discretion to initiate civil / criminal action against such person.

13. MISCELLANEOUS

- 13.1 Reporting of Internal Committee: The committee carrying out the inquiry will report to the Internal Committee. If required, they may seek assistance from any other department other than the department from where the complaint has been received
- 13.2 Grievance against any member of Internal Complaints Committee Representation should be addressed to the Managing Director of the organization
- 13.3 The company will make appropriate arrangement to facilitate the inquiry by the Internal Complaints Committee

14. MIS & REPORTING GUIDELINES

All inquiries will be tracked and reported via a monthly dashboard to the Managing Director 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.

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 Managing Director periodically.

Format of the reporting grids are mentioned in Annexure D.

15. PREPARATION OF ANNUAL REPORT

The Annual Report shall have the following details and will be shared with Managing Director by the HR Department.

- Number of complaints of sexual harassment received in the year;
- Number of complaints disposed off during the year;
- Number of cases pending for more than 90 days;
- Number of workshops or awareness programs against sexual harassment carried out;
- Nature of action taken by the employer

16. ANNEXURE

Annexure – A (IC Members)

INTERNAL COMMITTEE (IC) MEMBERS	NOMINATED INTERNAL COMMITTEE (IC) MEMBERS AND THEIR BANDS
Level 1/2 - Band (GB07A/ GB07B/ GB08A/ GB08B/ GB09A) (Woman employee who will be the Chairperson of the IC)	Freeda D'Souza - GB09A
Level 1/2 - Band (GB07A/ GB07B/ GB08A/ GB08B/ GB09) (Woman employee who will be a Committee Member)	Uma Shende - GB07A
Head – Corporate HR	Ruben Salvadoray – GB10A
Head – Real Estate & Infrastructure	Mahesh Kunkulol – GB09B
Chief Financial Officer	Anant Marathe – GB09A
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	Meenal Joshi or Lolita Kewalramani or

¹ Head – Real Estate & Infrastructure who is an employee of the organization and is a legal expert.

² Head – Corporate HR, who is an employee of the organization and by virtue of the role and job function, is a custodian of the company's social reput e and the employee relations head of the organization.

³ Chef Financial Officer who is an employee of the organization

⁴ In case of any legal advice required from external expert pertaining to POSH cases

Annexure – B (Contact Details)

S. No	IC Role	Name	Designation	Email ID/Contact No
1	Chairperson	Freeda D’Souza	Group Corporate Communications Head	freeda.dsouza@bajajfinserv.in
2	Committee Member	Uma Shende	Company Secretary	uma.shende@bajajfinserv.in
3	Committee Member	Ruben Salvadoray	Head – Corporate HR	ruben.selvadoray@bajajfinserv.in
4	Committee Member	Mahesh Kunkulol	Head – Real Estate & Infrastructure	mahesh.kunkulol@bajajfinserv.in
5	Committee Member	Anant Marathe	Chief Financial Officer	agmarathe@bhil.in
6	External Member representing a legal body and NGO	Lolita Kewalramani/ Meenal Joshi/ Sonal Mattoo	NGO	lolita09@gmail.com meenalrajiv@gmail.com

Annexure – C (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.
Indian Penal Code	354-C	Voyeurism	First conviction: 1year 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 7 years but may extend 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

Annexure D - The monthly reporting grid:

Sr. 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

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

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