

KUMBHAT FINANCIAL SERVICES LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. Commitment

Kumbhat Financial Services Limited is an equal opportunity employer at all levels of management and will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

2. Scope

“This policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

- a) All offices, plants or other premises where the Company’s business is conducted.
- b) All company-related activities performed at any other site away from the Company’s premises.
- c) Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

3. Sexual Harassment meaning & scope

Sexual harassment may be one or a series of incidents involving unwelcoming sexually determined behavior as physical contacts and advances, sexually coloured remarks, showing pornography and sexual demands, whether by words or actions.

Sexual Harassment at the workplace includes:

- (i) physical contact and advances or

- (ii) demand or request for sexual favours, or
- (iii) Making sexual coloured remarks or
- (iv) Showing pornography or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

If you are being harassed:

- a) Tell the accused that his/her behavior is unwelcome and ask him/her to stop.
- b) Keep a record of incidents (dates, times, locations, possible witness, what happened, your response).

It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.

- c) File a complaint as soon as possible. If, after asking the accused to stop his/her behavior, the harassment continues, report the abuse to the Complaints Committee ('CC') formed for this purpose.

4. Responsibilities regarding Sexual Harassment

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

5. Complaints Committee

The Company has instituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

The Complaint Committee will comprise of the following members:-

1. Presiding Officer : Women employee at a senior level-Mrs. Sarika Kumbhat
2. Senior Women Employee from Personal functional (Member)
3. Member from an NA or Lawyer

The Presiding officer has the rights to nominate more members of appropriate seniority in to the committee to conduct such enquiries to ensure equal representation of the gender as that of the complaints for any other valid reason.

The Complaints Committee shall be responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

7. Procedures for Resolution, Settlement or Prosecution of Acts of Sexual Harassment:

A. Manner of Complaint of Sexual Harassment

(i) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Complaints Committee ('Committee') within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

Provided that where such complaint cannot be made in writing, the Chairperson or any Member of the Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.

Provided further that the Committee for the reasons to be recorded in writing extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

(ii) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

B. Conciliation

(i) The Committee may, before initiating any inquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation. Provided that no monetary settlement shall be made as a basis of conciliation.

(ii) Where a settlement has been arrived at, the Committee shall record the settlement so arrived and forward the same to the Board of Directors to take necessary action in this regard.

(iii) The Committee shall provide the copies of the settlement as recorded to the aggrieved woman and the respondent.

(iv) Where a settlement is arrived at, no further inquiry shall be conducted by the Committee. Provided that where the aggrieved woman informs the Committee, as the case may be, that any term or condition of the settlement arrived at has not been complied with by the respondent, the Committee shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police.

C. Inquiry into Complaint

(i) The Chairperson of the Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, s/he will record this finding with reasons and communicate the same to the complainant.

(ii) If the Chairperson of the Committee determines that the allegations constitute an act of sexual harassment, s/he will proceed to investigate the allegation with the assistance of the Committee members.

(iii) Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

(iv) Where such conduct on the part of the accused amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

(v) The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Board of Directors.

(vi) For the purpose of making an inquiry as mentioned above, the 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 the following matters, namely :-

(a) Summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents; and

(c) any other matter which may be prescribed.

(vii) The aforesaid inquiry shall be completed within a period of ninety days.

D. Action that may be taken by the Committee during pendency of the Inquiry

(i) During the pendency of an inquiry, on a written request made by the aggrieved woman, the Committee may take the following actions:-

(a) Transfer the aggrieved woman or the respondent to any other workplace; or

(b) grant leave to the aggrieved woman up to a period of three months; or

(c) grant such other relief to the aggrieved woman as may be prescribed.

(ii) The leave granted to the aggrieved woman shall be in addition to the leave she would be otherwise entitled.

E. Inquiry Report and Action

(i) On the completion of an inquiry, the Committee shall provide a report of its findings to the Board of Directors within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

(ii) Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, then no action is required to be taken in the matter.

(iii) Where the Committee and Board of Directors together arrives at the conclusion that the allegation against the respondent has been proved, it may take the following actions depending upon the circumstances:

a. Formal apology

b. Counseling

c. Written warning to the respondent and a copy of it maintained in the employee's file.

d. Change of work assignment / transfer for either the Respondent or the Complainant.

e. Suspension or termination of services of the employee found guilty of the offence

f. Granting of compensation or damages to the Complainant

F. False or Malicious Complaint

(i) Where the Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved or any other person making the complaint has produced any forged or misleading document, the Complainant shall, be liable for appropriate disciplinary action by the Board of Directors. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended

(ii) Where the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Board of Directors to take necessary actions in this regard.

G. Compensation

For the purpose of determining the sums, if any to be paid to the aggrieved woman, the Committee shall consider the following while arriving at the compensation:

- i. the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- ii. the loss in the career opportunity due to the incident of sexual harassment;
- iii. medical expenses incurred by the victim for physical or psychiatric treatment.

7. Confidentiality

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

8. Access to Reports and Documents

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

9. Protection to Complainant / Victim

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will

ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

10. Conclusion

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

11. General

The provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 shall be applicable in addition to this Policy.