

POLICY FOR PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. OBJECTIVE

We, Kogta Financial (India) Limited (“KFL” or “Company”), as a Company respect the dignity of all employees working for the Company irrespective of their gender or hierarchy and we expect responsible conduct and behavior on the part of all our employees at all levels but not limited to the office premises and other locations directly related to the Company’s business.

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

2. COMMITMENT:

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

All concerned should take cognizance of the fact that KFL strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being The Sexual Harassment of Women at Workplace (hereinafter referred to as “Act”) as well as the terms of employment. Committed of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action.

3. 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. The Company will not tolerate sexual harassment, if engaged in by clients or by any other business associates.

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The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

This Policy comes into force with immediate effect.

4. DEFINITION:

- a. **"Aggrieved Person"** means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b. **"Company"** means Kogta Financial (India) Limited or KFL.
- c. **"Employee"** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages 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 called by any other such name;
- d. **"Internal Complaints Committee"** means a committee constituted by Company as per this Policy.
- e. **"Respondent"** means a person against whom the aggrieved person has made a complaint.
- f. **"Sexual Harassment"** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - i. Physical contact and advances; or
 - ii. A demand or request for sexual favors; or
 - iii. Making Sexually colored remarks; or

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- iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
- v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- i. implied or explicit promise of preferential treatment in their employment;
- ii. implied or explicit threat of detrimental treatment in their employment;
- iii. implied or explicit threat about their present or future employment status;
- iv. interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

- g. **“workplace”** includes any department, organization, undertaking, establishment, enterprise institution, office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

5. INTERNAL COMPLAINTS COMMITTEE:

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

In accordance with the sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the following:

- a. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
- b. Two members from amongst employees preferably committed to the cause of women.
- c. One member shall be from amongst Non-governmental organizations OR

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associations committed to the cause of women.

The Name of the Members of the Internal Complaints Committee is as per **Annexure A** of this Policy and any change in such composition shall be effected in the policy.

Atleast half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

6. RESPONSIBILITY

The Internal Complaints Committee is 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. COMPLAINT REDRESSAL MECHANISM

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

- a) The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
- b) On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.
- c) Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-
 - i. relative or friend; or

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- ii. a co-worker; or
- iii. an officer of the National Commission for Women or State Women's Commission; or
- iv. any person who has knowledge of the incident, with the written consent of the aggrieved person.

Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-

- i. relative or friend; or
- ii. a special educator' or
- iii. a qualified psychiatrist or psychologist; or
- iv. the guardian or authority under whose care they are receiving treatment or care; or
- v. any person who has knowledge of the incident jointly with any of the above.

Where the aggrieved person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent.

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.

- d) Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- e) The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Complaints Committee through following mode:-
 - Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Complaints Committee at complaints@kogta.in
 - On receipt of such complaint, Internal Complaints Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days.
 - Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.
 - Internal Complaint Committee shall investigate in detail into the matter of the

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complaint. The Internal Complaint committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.

- Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
 - The Internal Committee must complete its investigation within a period 90 days.
 - The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
 - For conducting the enquiry the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.
- f) The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
- i. Monetary settlement will not be made as a basis of conciliation.
 - ii. Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.
- Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.
- g) The Internal Complaints Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:
- i. summoning and enforcing the attendance of any person and examining him under oath;
 - ii. requiring discovery and production of documents;
 - iii. any other prescribed matter.
- h) During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
- i. to transfer the aggrieved person or the respondent to any other workplace;
 - ii. grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled.

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Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the workplace.

8. MANNER OF TAKING ACTION AGAINST THE RESPONDENT:

Where the Complaints Committee arrives at the conclusion that the allegation against the respondents been proved, it shall recommend to the employer to take action which may include the following:

- a. Written apology;
- b. Warning;
- c. Reprimand or Censure;
- d. Withholding of Promotion;
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counseling session or carrying out community service.

If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.

9. AWARENESS

- a. All the Employees, Agents and bankers shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
- b. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in KFL during their initial Induction.
- c. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.

10. PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:

Where the Internal Complaints 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 woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action in accordance with the provisions of the service rules applicable to her or him.

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11. 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 any investigatory process to the extent practicable and appropriate under the circumstances.

12. MISCELLANEOUS

- a. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.
- b. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

13. CONCLUSION

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior.

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.

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ANNEXURE - A

COMPOSITION OF INTERNAL COMPLAINTS COMMITTEE

Sr. No.	Name	Designation	Membership
1.	Venu Agrawal	Presiding Officer	Presiding Officer
2.	Aditi Maheshwari	Member	Member
3.	Kavita Sonawane	Member	Member