

# NISUS FINANCE SERVICES CO LIMITED

## PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY

Version: 1

### 1. Introduction

At Nisus Finance Services Co Limited ('the Company') this policy is formulated in strict compliance with the provisions of "The Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act, 2013," along with its subsequent amendments and associated rules. While our policy encompasses all the key aspects of the Act, we recognize the importance of referring to the Act and its amendments for further clarification and understanding. In all cases, the provisions of the Act shall take precedence.

While the Act primarily addresses the prevention of sexual harassment of women at the workplace, our policy goes beyond gender to ensure a safe, inclusive, and respectful work environment for all employees.

### 2. Scope and Applicability

This policy applies to all the Company locations, including those visited during the course of duty, as defined by the Act. The term "workplace" includes:

Any of the Company business location.

Any external location visited by an Employee during employment, such as other organizations' premises, guest houses, hotels, etc.

Any mode of transportation provided by the Company for employees traveling to and from the locations mentioned above.

This policy is applicable to:

All personnel employed by the Company, whether permanent, contractual, or temporary ("Employee").

All individuals visiting the Company premises for any purpose, including customers, visitors, etc. ("Aggrieved Person").

### 3. Roles and Responsibilities

#### 3.1 Responsibilities of Everyone:

All individuals must uphold the rights of others and actively prevent harassment. This involves:

- Refusing to engage in any behavior that constitutes harassment.
- Providing support to anyone experiencing unwelcome behavior.
- Acting as a witness if someone decides to file a complaint.

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- We encourage open communication to address unwelcome behavior, understanding that some actions may not be intentional, but addressing them is crucial for maintaining a respectful workplace.

### 3.2 Responsibilities of Managers, HODs, and Business Unit Heads:

Managers, HODs, and Business Unit Heads are responsible for ensuring a harassment-free workplace, equal treatment, and fostering an environment where complaints are taken seriously. They must also ensure that complainants, respondents, and witnesses are not subjected to victimization.

## **4. Definitions:**

Sexual harassment encompasses any unwelcome acts or behaviour, whether direct or implied, including but not limited to:

- Physical contact and advances.
  - Requests for sexual favors.
  - Sexually colored remarks or comments about a person's body or clothing.
  - Sharing pornography, making sexual pranks, or using offensive materials.
  - Unwanted socialization outside of working hours.
  - Giving sexually suggestive gifts.
  - Eve teasing, innuendos, taunts, or actions invading privacy.
  - Persistent monitoring, following, or contacting a person.
  - Any other unwelcome sexual conduct, whether physical, verbal, or non-verbal.
  - In addition to the above, whether implied or explicit circumstances related to sexually determined acts or behavior may constitute sexual harassment, including promises of preferential treatment, threats of detrimental treatment, threats to employment status, interference with work, and actions affecting an individual's health or safety.
- a. **Aggrieved woman:** A woman, of any age, whether employed or not, who alleges sexual harassment by the respondent, including contractual, temporary, and visitor employees.
  - b. **Respondent:** A person against whom a sexual harassment complaint has been filed.
  - c. **Employee:** Any person engaged in work for the Company, whether regular, temporary, or contract, including coworkers, probationers, trainees, apprentices, or others working on a voluntary or implied basis.
  - d. **Workplace:** Encompasses the primary work location and any place connected to the work engagement, including provided transportation for such purposes.
  - e. **Employer:** The individual responsible for workplace management, supervision, and control.

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## 5. Redressal of Complaints – Process & Procedure:

### 5.1 The Internal Committee for Prevention and Redressal of Sexual Harassment Issues:

A dedicated "Internal Committee" (IC) has been established, as mandated by the Act. The IC is responsible for addressing all complaints. It consists of members as per the Act's guidelines, with at least half being women.

The Committee is responsible for dealing with all sexual harassment complaints within the Company premises and ensuring a fair and just process. The IC will maintain confidentiality and respect throughout the process.

The Company will announce the names and contact details of the members of this Committee and display them in places easily accessible to employees and visitors, alike. These are also to be brought out in Annexure I to this policy. Annexure I would be amended as and when the Committee is re-constituted.

The Committee will be constituted as per the following guidelines:

Member Category	No. of Members	Remarks
Presiding Officer	1	A woman employed at a senior level in the organization or workplace. In absence of a Senior woman employee an external member may be appointed for this role.
Employee	2 or more	At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge to be nominated as part of the committee
External Member	1	Preferably a woman member from NGO or Associations committed to the cause of prevention of sexual harassment OR familiar with the issues relating to sexual harassment.

It may be noted that:

- It is mandatory that at least one half of the total members of the Internal Committee so appointed be women members.
- The Committee will be responsible for dealing with all complaints of sexual harassment pertaining to any Premise as per procedure prescribed under the Act. In case necessitated by circumstances like conflict of interest, unavailability of members, or sudden spike in number of complaints, the Presiding Officer of the Committee may request the appropriate authority, to reconstitute/reassign members to ensure that the investigation is carried in a fair and just manner.

### 5.2 Process for Dealing with Incidents and Complaints of Sexual Harassment:

Employees or Aggrieved Persons experiencing sexual harassment must file a written complaint within 3 months of the incident.

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If the complaint is verbal, the presiding officer or any other IC member will provide necessary assistance to document the complaint in writing and get the same signed by the complainant.

Complaint receivers must report the complaint to the IC immediately.

Upon receiving a complaint, the following steps are taken by IC members/ Presiding Officer:

- The complaint is listened to with empathy and seriousness.
- The complainant must be informed that the company takes the matter seriously.
- The complaint is reported to the IC for further action.
- Situations are not prejudged, and strict confidentiality is maintained.
- The complainant's agreement is sought to proceed with a formal investigation.

## **6. Resolution Procedure:**

Upon receipt of complaint,

- The IC may attempt to settle and conciliate the complaint between the complainant and the respondent, provided the aggrieved party requests it.
- If such a settlement is reached, the committee will record the settlement and action will be taken by the company as specified in the recommendation.
- Copies of the settlement will also be provided to the employee or aggrieved and the respondent.
- However, it is to be noted that where a settlement is arrived at, no further inquiry will be made by the committee, unless the terms of the settlement have not been complied with.
- The resolution through settlement and conciliation will happen within 3 weeks of receipt of the complaint.
- If no settlement is reached or if the terms of the settlement are not met, the IC initiates a formal inquiry.
- If the complainant chooses not to request a settlement, a thorough investigation is conducted.

## **7. Interim Relief:**

The IC may provide interim relief, such as transferring parties to different workplaces, granting additional leave, preventing the respondent from assessing the complainant's work, or other appropriate measures, upon the complainant's written request.

## **8. Authority of the Committee for Conducting the Inquiry:**

The IC has the authority to summon individuals, examine witnesses, require document production, and perform other acts prescribed by the Act to conduct a fair inquiry.

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## 9. Inquiry Procedure:

The inquiry process is comprehensive, impartial, and conducted in adherence to the principles of natural justice.

### Steps include:

- All proceedings of the inquiry must be documented. The committee interviews the respondent separately and impartially.
- The committee states exactly what the allegations is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complaint upon request. Any witness produced by the respondent are also interviewed and statements to be documented.
- If the complaint or respondent desires to cross examine the witness, the committee shall facilitate the same and records their statements.
- In case a complainant or respondent seeks to ask questions of the other party, they may give them to the committee which asks them and records the statements of the other party.
- Ensure that the 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 ensures absolute fairness to all parties.

### Considerations while preparing inquiry report.

- While preparing the findings/recommendations reports, the following shall be 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 the 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
- The complainant and the respondent must have a fair opportunity to present their case, and both parties receive copies of the findings to enable them to make representations against the findings.

## 10. Action to Be Taken After Inquiry:

Based on the inquiry's findings, the IC will suggest appropriate actions and may include counselling, reprimand, apology, warnings, suspension, termination, or other suitable measures to prevent victimization or distress during or after the course of enquiry.

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The findings and recommendations must be reached from the facts established and must be recorded accurately.

The employer must implement these recommendations within 60 days.

A detailed report must be maintained and may be required to be produced before a competent authority in future.

#### **11. Malicious Allegations:**

If the IC finds that an allegation is malicious or knowingly false, appropriate action will be taken against the complainant.

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.

#### **12. Confidentiality:**

The identity of the complainant, respondent, witnesses, statements, and other evidence obtained during inquiry, process, recommendations of the committee, action taken by the employer is considered as confidential materials and not published or made known to public or media.

Any person contravening the confidentiality clause is subject to disciplinary action as prescribed in the act.

For creating awareness, the company may disseminate information through internal communication after ensuring that the particulars have been so changed that identification of the Aggrieved Person and witness is not possible.

#### **13. Appeal (Section 18 of the Act):**

Any person aggrieved by the IC's recommendations, or their non-implementation may file an appeal in accordance with the applicable service rules. Without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer to appeal in such manner as may be prescribed, within a period of 90 Days of the recommendation's communication.

#### **14. Preparation of Annual Report and Compliance:**

The IC will prepare an annual report as per Section 21 of the Act, this report will be submitted to the Company's Ethics Committee and filed with the District Officer as per the Act's requirements and includes the following details:

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- Number of complaints of sexual harassment received in the year.
- Number of complaints disposed during the year.
- Number of cases pending for more than 90 Days
- Number of workshops or awareness sessions against sexual harassment at workplace carried out across the company.
- Nature of action taken by the concerned officer of the Company.

It will be the duty and responsibility of the HR representative in the Committee to file the annual report with the District Officer notified under Section 5 of the Act by the appropriate Government.

### 15. Policy Review:

The HR & Legal team of the company will ensure the fulfilment of the Company's responsibilities under the act and shall act as interface between committees and the Company.

The responsibilities of the HR and Legal team will be to ensure:

- Periodic review of this policy in alignment with the law of the land.
- Conduct awareness programs and create forums for dialogue to sensitize all employees about the provisions of the Act and this policy.
- Support Committee members as necessary during the inquiry process and ensure upon conclusion of the inquiry, all evidence pertaining to each complaint is documented and preserved in a secured manner to ensure strict confidentiality.
- Ensure filing Annual Reports with respective District Officers as per guidelines of the Act.

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### Annexure I - Composition of the Internal Committee

The Internal Committee, as constituted for Nisus Finance Services Co Limited and its group entities comprises of the following members:

Internal Committee					
SN	Name	Role	Designation	Email Address	Mobile Number
1	Mridula Goenka	Presiding Officer	Director	<a href="mailto:goenkamridula@gmail.com">goenkamridula@gmail.com</a>	+91 9967499078
2	Supriya Gupta	Member	Senior Manager	<a href="mailto:supriyag@nisusfin.com">supriyag@nisusfin.com</a>	+91 8652745354
3	Sunil Maheshwari	Member	CFO	<a href="mailto:gfinance@nisusfin.com">gfinance@nisusfin.com</a>	+91 9950009449
4	Avadhoot Sarwate	Member	CIO	<a href="mailto:avadhoots@nisusfin.com">avadhoots@nisusfin.com</a>	+91 9987574584
5	Sheetal Chaurasiya	External Member	External Member	<a href="mailto:consult@sheetalchaurasiya.com">consult@sheetalchaurasiya.com</a>	+91 7738019449

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Approved by: MD & CEO

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