ASHIKA GROUP POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH) AT WORK PLACE

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ASHIKA GROUP POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH) AT WORK PLACE

1. Preamble

The Ashika Group of Companies has adopted the *Policy on Prevention of Sexual Harassment (POSH) at Workplace* in accordance with the provisions of *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* and the rules framed thereunder. This policy was originally adopted by the group on **April 28, 2014**, after due consultation with the *Group HR Department*, *Promoters of Ashika Group*, and other *Senior Officials* of the Group. The objective of adopting this policy is to ensure a safe, secure, and respectful workplace for all employees, while upholding the principles of gender equality and professional integrity across the organization.

This policy shall be reviewed and amended from time to time in accordance with any changes in applicable laws or as deemed necessary by the management to align with evolving best practices. For the effective implementation and redressal mechanism, an *Internal Complaints Committee (ICC)* shall be constituted to address any grievances under this policy.

The amendment or modification of this policy or the ICC Committee shall be carried out in consultation with the *Group HR Department*, *Promoters*, and *Senior Officials* of the Ashika Group. Further, this policy shall be adopted by companies under the flag of the *Ashika Group*. Any subsequent amendment or revision to this policy shall be noted and adopted by the respective Group Companies at their *Board Meetings* held from time to time. The *effective date* of any such revision or review shall be considered from the date on which any of the Group Company first adopted the revised policy, and thereafter, the remaining Group Companies shall note and implement the same accordingly.

2. OBJECTIVE OF POLICY

Ashika Group of Companies strives to create and maintain a healthy, safe and productive work environment, free from discrimination and harassment. It provides an opportunity to bring their best selves at workplace. Every Group Company strives to provide equal opportunity and a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability.

The objective behind implementing and enforcing this policy is to define workplace sexual harassment, prohibit it in all forms, carry out appropriate disciplinary measures in the case of violations, and provide procedures for lodging complaints about conduct that violates this policy and investigating sexual harassment claims.

At the Ashika group, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to.

- Treat each other with dignity and respect
- Follow the letter and spirit of law
- Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

The Group Policy on Sexual Harassment is applicable to all companies in the Group.

3. SCOPE

The Prevention of Sexual Harassment policy of the Group is applicable:

a) To all persons engaged with Ashika Group across India, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent and includes a co-worker, a contract worker, probationer, trainee, apprentice, intern and visitor at our premises.

b) Complaints relating to Sexual Harassment against women at Workplace (as defined under the Act) shall be dealt with in accordance with the provisions of the Act. Complaints involving harassment/discrimination, including sexual harassment, against persons other than women [including men and LGBTQ+] shall be dealt with in accordance with respect, dignity and fair treatment.

c) The Internal Complaints Committee (ICC) is required to enquire about all complaints made under the provisions of the Act as per this Policy/guidelines in a just and fair manner and submit their report to the respective Employer (s), as the case may be. It is pertinent to mention that the Employer only has the right to punish any accused hereunder and ICC are advisory bodies to meet the ends of justice.

d) This Policy comes into effect immediately.

4. DEFINITION:

a) Ashika Group means shall mean and include Ashika Group of Companies, comprising Ashika Credit Capital Limited (ACCL), being the flagship Company, and all its Group Companies, Subsidiaries, Associate Companies, and other entities under the common management, ownership, or control of the Promoters of Ashika Group. The expression "Ashika Group" shall collectively refer to all such entities that operate under the shared vision, values, and governance framework of the Ashika brand and are guided by the common ethical, cultural, and compliance principles established by the Group.

This definition shall also extend to include any existing or future companies/entities that may be incorporated, acquired, or brought under the control of the Promoters or management of Ashika Group, and which, by resolution of their respective Boards, agree to be governed by the policies, standards, and practices adopted at the Group level.

b) Sexual Harassment may include any of the following but not limited to:

- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit
- Physical contact and advances;
- Demand or request for sexual favours;
- Sexually coloured remarks, including but not limited to vulgar/indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.
- Showing pornography or the likes
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- Physical contact and advances such as touching, stalking, sounds which have explicit and/or implicit sexual connotation/ overtones, molestation
- Display of pictures, signs etc. with sexual nature/connotation/overtones in the work area and work-related areas
- Verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance and has sexual connotation/overtone/nature

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:

- implied or explicit promise of preferential treatment in their employment;
- implied or explicit threat of detrimental treatment in their employment;
- implied or explicit threat about their present or future employment status;
- interfering with their work or creating an intimidating or offensive or hostile work Environment;
- humiliating treatment likely to affect their health or safety;
- 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

c) The workplace includes:

- All offices or other premises where the business of the group is conducted.
- All group-related activities performed at any other place away from the group premises.

- Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

d) **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.

e) **Complainan**t means is any Aggrieved Individual (if the Aggrieved Individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

f) **Employee means** a person employed with the Company for any work on permanent, temporary, part time, 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 called by any other such name.

g) **Respondent** means a person against whom the aggrieved person has made a complaint.

h) **Committee** means Internal Complaints Committee constituted by the group as per this Policy.

i) **Workplace means**

- Premises, locations, establishments, enterprises, institutions, offices, branches or units established, owned, and controlled by the Company.
- Places 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 at Group Level (Now known as INTERNAL COMMITTEE)

INTERNAL COMPLAINTS COMMITTEE (ICC) To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal Complaints Committee" also known as the POSH Committee is constituted at the group level. The details of members of the committee are enclosed as **Annexures A**

Internal Complaints Committee (ICC) shall constitute of the following members

I. Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section (1).

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

II. Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

III. one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

At least one half of the total members are women.

IV. For conducting the enquiry the quorum of the ICC shall be of 3 members including the presiding officer.

V. The Presiding Officer and every member of the ICC shall hold office for a period not exceeding three years, from the date of their nomination.

VI. A member of the ICC may resign at any time by tendering his resignation in writing to the Company.

VII. Removal or Replacement of ICC member or Presiding Officer

In the event that the Presiding Officer and/or any member of the ICC:

- contravenes any provisions of the Policy; or
- has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
- has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
- has so abused his/her position as to render his/her continuance in office prejudicial to public interest, such Presiding Officer or member as the case may be, shall be removed from the ICC. Any vacancy created due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by the Company in accordance with the appropriate guidelines.

VIII. ICC members shall have the following responsibilities.

- To be fair while making the assessment of the situation, investigation and giving the verdict.
- Conduct the inquiry process and recommend appropriate actions as per the process outlined in section 6 of this document in line with the statutory requirements applicable.
- Inform the parties involved in the inquiry proceedings well in time and in writing.
- Follow the principles of natural justice and treat the complainant, respondent, witnesses and related persons to the inquiry with dignity and respect.
- Submit to the Company an annual report comprising details of all cases and actions taken.
- Keep disclosed information as confidential. Handle information in a discreet manner, and disclose confidential information strictly on a "need-to-know" basis only.
- If an employee faces sexual harassment outside of the company work and work premises, assist them in filing a complaint in the police station as appropriate.
- Set an example of proper and appropriate workplace behaviour and ethical standards in line with Tata Values and Tata Code of Conduct.

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint as may be appropriate

6. COMPLAINT REPORTING CHANNEL & REDRESSAL MECHANISM

a) A Complainant may submit a written complaint addressed to the Chairman or any Committee Member of Internal Complaints Committee, either at the Kolkata office at Trinity, 226/1 A. J. C. Bose Road, Kolkata – 700020, or at the Mumbai office located at Altimus, Level 35, Dr. G. M. Bhosale Marg, Worli, Mumbai – 400018. Alternatively, the complaint may also be sent via email to hrd@ashikagroup.com, a complaint of Sexual Harassment to the Internal Complaints Committee (ICC), 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. The ICC may, 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 Complainant from filing a complaint within the said period.

b) If the Aggrieved Individual is unable to make a complaint on account of his/her physical incapacity, a complaint may be filed by:

- his/her relative or friend; or
- his/her co-worker; or
- an officer of the National Commission for Women or State Women's Commission; or
- any person who has knowledge of the incident, with the written consent of the Aggrieved Individual.

c) If the Aggrieved Individual is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by:

- his/her relative or friend; or
- a qualified psychiatrist or psychologist; or
- the guardian or authority under whose care he/she is receiving treatment or care; or

any person who has knowledge of the incident jointly with the Aggrieved Individual's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care he/she is receiving treatment or care

d) If the Aggrieved Individual 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 his/her written consent.

e) If the Aggrieved Individual is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his/her legal heir.

f) Every compliant shall be forwarded to ICC formed under the policy for redressal. The investigation shall be carried out by respective ICC constituted for this purpose

g) A Complaint should be made to the ICC. In the event any matter is received by the ICC shall report the matter/Complaint immediately to the ICC and redress such Complaint as per the present Policy as guided by the ICC. Further, finding of the ICC shall be reported to the Employer through ICCs.

h) A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson and at least two members, one of whom shall be a lady.

i) A Person who has been subject to Sexual Harassment may make in writing a Complaint of sexual harassment at workplace to the Committee within a period of three months from the date of incidence and in case of series of incidences within a period of three months from the date of last incidence. Provided that where such Complaint cannot be made in writing, the Presiding Chairperson or any member of the respective ICC or the chairperson shall render all reasonable assistance to the Complainant for making the Complaint in writing.

j) If the Committee is satisfied that the circumstances were such that prevented the Complainant from filling the Complaint within said period they can extend the time limit not exceeding three months.

k) The Complainant is required to send the written Complaint to the ICC either by way of six copies of the letter detailing Complaint. The Complainant may also email the Complaint to a Committee member. The Complaint may be made with full details & explanations.

l) It is pertinent to mention that the written Complaint is mandatorily required to be filed by the Complainant with full name and details for seeking any action under this Policy and/or the Act. Any anonymous Complaint shall not be entertained.

m) ICC on receipt of such written complaint, may, if required, ask the aggrieved person to furnish additional information about the alleged harassment.

n) Both written/emailed Complaint must provide the details of the incident together with the name/s of the Respondent/s and the Complainant/s as available

o) The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the ICC through following mode:
   - Copy of complaint along with supporting documents and names and address of witness shall be sent to ICC.
   - On receipt of such complaint, ICC 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
   - ICC shall investigate in detail into the matter of the complaint. The ICC shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.

- ICC 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 Committee must complete its investigation within a period of 90 days
- Display at conspicuous places in the workplace, the penal consequences of Sexual Harassment.

p) 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 Committees.

q) The Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Committee shall ensure that:
- Monetary settlement will not be made as a basis of conciliation.
- 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 Committee.

r) The Committees may during such investigation may exercise the power of a civil court, vested in it, in respect of:
- summoning and enforcing the attendance of any person and examining him under oath;
- requiring discovery and production of documents;
- any other prescribed matter.

s) During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
- To transfer the aggrieved person or the respondent to any other work location;
- Grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled.

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

7. ACTION:

a) The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.

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

c) If the Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:
- Take action for sexual harassment as a misconduct.
- To tender written apology to the complainant, issue warning, withholding of promotions/increments of the Respondent, terminating the Respondent.
- To deduct from salary/wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.

d) Such action will be taken within 60 days of the receipt of report.

8. FALSE ACCUSATIONS:

a) The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by the group companies. However, there shall be zero tolerance for any false accusation.

b) If the ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, than the same has to be intimated to the ICC and then the ICC may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as

provided herein. A similar recommendation for taking action would be recommended against any witness whom the Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

c) It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. Ashika recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

9. MISCELLANEOUS:

a) Group companies 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.

c) The ICC shall prepare an annual report with the following details and shall submit the same to the Board of respective Company and to district officer.

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

10. CONFIDENTIALITY AND RETALIATION

Every person who is a part of the complaint process shall at all times keep the contents of complaint, identity of complainant, respondent and witnesses, and any information relating to conciliation, inquiry and recommendations of Committee confidential. The Committee shall not tolerate any retaliation or victimization against anybody who identifies and raises issues relating to any form of harassment/ discrimination including sexual harassment or who lodges complaints and/or participates in any related proceedings either directly with the management or through the grievance procedures in place. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed under the Act/Code protocols.

11. CONCLUSION:

At ASHIKA GROUP, we endeavour to provide conducive and healthy work environment where the relationship amongst the employees as well as with the Employer are cordial and supporting in all aspects, so that each employee shall have an enriching experience. The objective of this policy is to ensure the employees that ASHIKA GROUP is determined to provide them excellent, comfortable, safe and healthy work environment, so that they can come out with their best in all facets.

This Policy has been reviewed and revised by the Board of Directors at their respective meetings.

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Annexure A

The Internal Complaints Committee consists of the following Members as under:

Mumbai Office		
Sl. No.	**Name**	**Position**
1	Ms. Meena Sharma	Chairperson
2	Ms. Aakansha Chopra	Member
3	Mr. Niraj Sarawgi	Member
4	Ms. Rajashri Rajashekhar	External Member

Kolkata Office		
Sl. No.	**Name**	**Position**
1	Ms. Suman Jain	Chairperson
2	Mr. Atul Krishna Tiwari	Member
3	Mr. Rahul Bafna	Member
4	Ms. Suparna Sengupta	External Member