



## **IDFC FIRST Bharat Limited**

### **Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace**

**Version : 2.5**

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**Policy on Prevention, Prohibition and Redressal of  
Sexual Harassment at the Workplace**

***Policy incorporates the legislation titled The Sexual Harassment of Women at Workplace  
(Prevention,  
Prohibition and Redressal) Act, (defined as “Act”) and its Rules (defined as “Rules”) notified  
and published on  
9th December 2013***

**A. Background/  
Philosophy**

IDFC FIRST Bharat Limited (the “Company”) is committed to create an environment that promotes and fosters equal employment opportunities. It is committed to create a safe and healthy working environment that enables its employees to work without fear of prejudice, gender bias and Sexual Harassment. Towards this, it is essential that all employees deal with their colleagues and third parties with fairness and respect, keeping in mind that his / her behaviour can affect the internal and external reputation of the Company.

In order to prohibit, prevent and deter the commission of any act of Sexual Harassment at the Workplace and to provide the procedure for the redressal of complaints pertaining to Sexual Harassment, the Company has put in place this Policy which reflects the Company’s zero-tolerance to any form of prejudice, gender bias and Sexual Harassment at the Workplace

This policy has been framed with a view to:

- Promote a workplace based on equality and respect.
- Provide a safe and congenial work environment.
- Prevent sexual harassment
- Provide the procedure for the redressal of complaints pertaining to sexual harassment

**B. Scope & Coverage of the  
Policy**

- i. All persons employed by or on behalf of IDFC FIRST Bharat for any work on a regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, whether for remuneration or not, or working on a voluntary basis or otherwise and includes a coworker, contract worker, probationer, trainee, apprentice or called by any other such name.
- ii. Third parties and/ or visitors at all business units or functions of IDFC FIRST Bharat, its subsidiaries and/or its affiliated or group companies

### C. Regulatory Requirements

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules made there under (“Act”) casts an obligation on all employers to have processes in place to prevent Sexual Harassment of Women at Workplace as well as to provide for redressal of complaints of Sexual Harassment

Any person making unwelcome physical contact and explicit sexual overtures, demanding or requesting sexual favours, making sexually colored remarks or showing pornography against the will of a woman shall be guilty of the offence of Sexual Harassment and relevant provisions under THE BHARATIYA NYAYA SANHITA, 2023 prescribes punishment for this offence, ranging from simple to rigorous imprisonment, for term one year to three years, or with fine, or with both.

The right of women to protection from Sexual Harassment and the right to work with dignity are recognized as universal human rights by international conventions such as ‘Convention on the Elimination of all Forms of Discrimination against Women’ (CEDAW), which has been ratified by Government of India.

#### D. Key Definitions as per the Act

- a) **“Aggrieved Woman / Complainant”** in relation to a Workplace, means a woman, of any age, whether an Employee or not who alleges to have been subjected to any act of Sexual Harassment by the Respondent at the Workplace. A Complainant includes any other person who files a complaint on behalf of an Aggrieved Woman who is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, provided that such other person has knowledge of the incident and other than in cases of mental incapacity or death, files the complaint with the written consent of the.
- b) **“Employee(s)”** means any person employed by the Company for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, with or without the knowledge of the principal employer, including people employed on deputation, contract, part-time basis, whether for remuneration or not, or working on voluntary basis or otherwise, whether the terms of employment are express or implied and shall include trainees, probationer, apprentice, consultants and any other person called by any other such name, who is working in the Workplace of the Company
- c) **“Internal Committee” or “IC”** means the internal committee constituted by the Company in accordance with the provisions of the Act, to which the complaint of Sexual Harassment can be filed by the Aggrieved Woman / Complainant.

- d) **“Respondent”** means a person against whom the Aggrieved Woman / Complainant has made a complaint of Sexual Harassment.
- e) **“Sexual Harassment”** means and includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: -
  - i. physical contact and advances, including but not limited to touching, stalking, sounds which have explicit and / or implicit sexual connotation / overtures / overtones, molestation;
  - ii. a demand or request for sexual favours;
  - iii. making sexually coloured remarks, including but not limited to vulgar / indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.;
  - iv. showing pornography; or
  - v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances, amongst others, if it occurs or is present in relation to or are connected with any act or behaviour of Sexual Harassment may amount to Sexual Harassment

- i. implied or explicit promise of preferential treatment in employment;
- ii. implied or explicit threat of detrimental treatment in employment
- iii. implied or explicit threat about present or future employment status;
- iv. interference with work or creating an intimidating or offensive or hostile work environment; or
- v. humiliating treatment likely to affect health or safety  
(refer to Annexure for details of unwelcome sexually determined behaviour)
- f) **“Workplace”** includes –
  - i. all offices, branches or other premises established, owned or controlled by the Company where the Company’s business is conducted;
  - ii. any other site, away from the Company’s premises, where any activities related to the Company are performed;
  - iii. any place where social, business or other functions are performed in the course of work, where any conduct or comment passed will have an adverse impact on the Workplace or Workplace relations;
  - iv. any place visited by the Employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey

## E. Redressal Procedure

### **Complaint Lodging:**

#### **1. For complaints raised by any person other than Aggrieved Woman**

A complainant may lodge a written complaint or via e-mail by using any of the following mechanisms

- The Supervisor/ Reporting Manager/ any other trusted person in the line of hierarchy.
- The Regional HR manager(RHR Team) / / Lead – Employee Relation) / Head – HR

The complainant must provide all relevant information to facilitate an inquiry. Details of complaints will be kept confidential and HR will conduct inquiries with regard to the complaints made. However, such inquiry will not be conducted by Internal Committee (hereinafter referred to as the 'IC'). All parties involved will be given an opportunity of being heard.

If, on inquiry, the complaint is found to be genuine, action will be taken against the respondent. In such a case, HR can recommend action for sexual harassment as a misconduct in accordance with the provisions of the disciplinary policy as well as this policy applicable to the respondent. If HR arrives at the conclusion that the allegation has not been proved, it shall recommend that no action has to be taken against the respondent.

#### **2. For complaints raised by an Aggrieved Woman**

A woman complainant may lodge her complaint in via e-mail with the IC as constituted under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The email can be sent to ICC@idfcbbharat.com

**Anonymous complaints will not be entertained by the IC.**

### **Internal Committee (IC)**

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Act") provides protection against sexual harassment of women at the workplace. All complaints made by women falling under the ambit of this Policy shall be dealt with by the IC.

*The IC shall consist of a Presiding Officer, and minimum three other members:*

- *The presiding officer shall be a woman employed at a senior level at the workplace from amongst the employees*
- *The IC shall consist of 50% of women members*
- *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;*
- *One member from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.*
- *The tenure of the IC shall be three years and names of the Committee members shall be announced by the MD & CEO.*

*The IC will be treated as an independent committee and not as part of the IDFC FIRST Bharat Management. It is vested with the same powers as that of a civil court under the Code of Civil Procedure, 1908 for the purpose of making an inquiry, summoning and enforcing attendance and production of required documents.*

*In conducting the inquiry, a minimum of three members of the IC including the Presiding Officer shall be present.*

*The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.*

*No person, against whom a complaint is made shall be a part of the IC. In case the aggrieved woman's complaint is against a member of the IC, such member will not participate in any stage of review or inquiry into such complaint.*

#### **Who can file a complaint?**

- *Aggrieved woman*  
*Where the aggrieved woman is unable to make a complaint on account of her mental/physical incapacity, a complaint may be filed by:*
  - I. *Her relative or friend or*
  - II. *Her co-worker or*
  - III. *Any person who has knowledge of the incident with the written consent of the aggrieved woman or*
  - IV. *A special educator (in case of mental incapacity), or*
  - V. *The guardian or authority under whose care she is receiving treatment (in case of mental incapacity)*



*Where the complainant is unable to make the complaint in writing, any member of the IC shall render all reasonable assistance to the Complainant to raise the complaint in writing and obtain the signature of the Complainant.*

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

### **When can an aggrieved woman file a complaint**

*Any aggrieved woman can file a complaint of sexual harassment, in writing to the IC, within a period of three months from the date of incident or in case of a series of incidents, within a period of three months from the date of the last incident.*

*The period may be extended for further three months by the IC for reasons to be recorded in writing if it is satisfied with the circumstances that prevented the aggrieved woman to file a complaint within the said period*

### **Conciliation by the IC**

*Before initiating an inquiry, the IC may at the request of the aggrieved woman, take steps to settle the matter between the aggrieved woman and respondent through conciliation, which will be recorded in the presence of both the aggrieved woman and the respondent. In case, the terms of settlement are not complied with, IC will proceed to make an inquiry into the complaint.*

### **Inquiry Process of the IC**

- 1. At the time of filing the complaint, the complainant shall submit to the IC, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.*
- 2. On receipt of the complaint, post a preliminary review, the IC shall forward one copy of the complaint within seven days to the respondent for his response.*
- 3. The respondent must submit his response within 10 working days.*
- 4. Post receipt of the response, the IC shall follow the principles of natural justice and conduct an inquiry into the complaint giving both parties equal opportunity to make representations and provide evidence.*
- 5. The IC can terminate an inquiry upon a notice of 15 days if the aggrieved woman, or the respondent, fail to appear for three consecutive proceedings conducted by the IC*
- 6. The IC shall have 90 days to complete its inquiry*
- 7. On completion of its inquiry, the IC shall provide a report of its findings to the*

employer, within a period of 10 days from the date of completion of the inquiry and such report must be made available to the concerned parties.

8. IDFC FIRST Bharat Management has 30 days to execute the IC recommendation

A complainant is not barred from referring the matter to any other appropriate authority including law enforcement agencies such as the police as she may deem fit. IDFC FIRST Bharat will support her to file the same with the police upon her request.

#### **Interim Action**

During the pendency of the inquiry, and on a request made by the aggrieved woman, the IC may take any of the following interim actions:

- Offer medical help and counselling to the aggrieved woman, if required
- Transfer the aggrieved woman and/or the respondent to an alternate work location
- Grant leave to the aggrieved woman upto a period of three months, which would be in addition to the entitled leave of such aggrieved woman.
- Suspend the respondent for defined period or until the inquiry proceedings are completed
- Ensure that the reporting relationship is suspended
- Ensure that the aggrieved woman is not subject to appraisal by the respondent
- In case he is an outsider, ensure that the respondent shall not be allowed to enter IDFC FIRST Bharat premises except for the purpose of the attending the proceedings

#### **Disciplinary Action**

On conclusion of the inquiry, if the allegation/s against the respondent is/are proved, appropriate action against the guilty may be taken which may include:

- Written warning
- Written apology
- Reprimand/Censure
- Withholding promotion
- Withholding of pay rise or increments
- Terminating the respondent from service
- Undergoing a counselling session
- Carrying out community service
- Payment of monetary compensation by the respondent to the complainant.

<b>F. Appeal</b>	If the aggrieved and/or respondent is not satisfied with the recommendations made by the IC, they may prefer an appeal as per the Act. This appeal shall be made within a period of 90 days from the date of the recommendation.
<b>G. Strict Confidentiality</b>	The identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations and the action taken by the management will not be published, communicated or made known to the public, press and media in any manner. In case any person entrusted with the duty to handle or deal with the complaint, engage in inquiry, make recommendations for action to be taken, or any person who appears as a witness in such proceedings, contravenes the provisions of strict confidentiality, disciplinary action will be taken against such individual.
<b>H. Protection Against Retaliation</b>	Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint, or any person providing information, or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Management shall ensure the aggrieved woman or the witness are not victimized or discriminated against by the respondent or any other person acting on behalf of the respondent.
<b>I. Malicious Complaint</b>	In case the IC, on conclusion of the inquiry, finds that the allegation was malicious or that the aggrieved woman has made the complaints knowing it to be false, or has produced any forged/misleading document, it will recommend action to be taken by the HR after conducting a separate inquiry against the woman who has made the complaint. In all such cases the malicious intent on the part of the woman must be established before any action is recommended. Mere inability to substantiate a complaint or provide adequate proof will not attract action against the aggrieved woman

<b>J. Amendments</b>	<p>The Company reserves the right to amend the Policy from time to time in order to comply with any applicable laws/rules/regulations and operational requirements that come into effect from time to time, in relation to Sexual Harassment and/or proceedings of the IC. Any such amendment shall be made by the MD and CEO of the Company, which shall be noted at the next Board Meeting of the Company held after such amendment.</p> <p>Further the MD and CEO has authority to appoint and make changes in the IC members whenever necessary.</p>
<b>K. Conflict Resolution</b>	<p>In case of any conflict between the provisions of this Policy and the Act, the provisions of the Act shall prevail. However, if the Policy provides for a</p>
	<p>behavioral standard higher than that envisaged under the Act, then the Employees of the Company shall adhere to such higher behavioral standards as part of their terms of employment.</p>
<b>L. Convener</b>	<p>The MD and CEO shall appoint a Convener whose responsibilities will be as follows</p> <ul style="list-style-type: none"> <li>• Keep complete and accurate documentation of the complaint, its investigation and the resolution which will be submitted by the IC</li> <li>• Co-ordinate the meetings of the IC and monitor timely action and submission of reports by the IC where necessary.</li> <li>• Include in the Annual Report submitted to the Registrar of Companies, the number of Sexual Harassment cases filed, if any, and their disposal under the Act.</li> <li>• Submit Annual Report to the concerned District Officer/ Labour officer under Sec 21 of the Act details of number of complaints of Sexual Harassment received, disposed off, pending for more than 90 days, workshops conducted, action taken in the year.</li> <li>• Ensure display of names and contact details of members of the IC at all branches /locations.</li> <li>• Display the constitution of IC and penal consequences of Sexual Harassment at conspicuous place(s) in the Work place</li> </ul> <p><b>In addition, the MD &amp; CEO / Head – HR to ensure</b></p> <ul style="list-style-type: none"> <li>• Dissemination of this Policy to employees and creation of awareness sessions for Employees</li> <li>• Orientation &amp; Capacity/ Skill building program for the IC</li> </ul>
<b>M. Policy Owner</b>	<p>Human Resource Department</p>

## Annexure A

Some indicative instances of “Unwelcome sexually determined behaviour” includes but is not limited to:

- Subjecting another person to an unwelcome act of physical intimacy, including grabbing, brushing, touching, sexual flirtations, advances or propositions.
- Making any unwelcome remarks with sexual connotations, making sexually explicit remarks, cracking jokes, using sentences with sexual connotations, etc.
- Showing any sexually explicit visual material in the form of pictures/cartoons/pin-ups/calendars/screen-savers on computers/any offensive written or electronic material, including pornographic.
- Engaging in any other unwelcome conduct of a sexual nature, verbal or even non-verbal, staring to make the other person uncomfortable, making offensive gestures, etc.
- Sending unwelcome communication of a sexual nature, through email, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of sexual nature.
- Making an unwelcome demand or request whether directly or by implication for sexual favors and/or making it a condition of employment/ payment of wages/ increments/ promotion/ preferential treatment/ threat of detrimental treatment in employment/threat to current or future employment status or similar act.
- Where a supervisor requests sexual favors from a junior (or any other person) in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any person for non-cooperation.
- Where any employee(s) make(s) sexual epithet, jokes written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
- Behavior which creates an environment that is intimidating, hostile, offensive, humiliating for any employee.