



POLICY ON PREVENTION OF SEXUAL HARASSMENT OF EMPLOYEES AT THE WORKPLACE

Policy: Prevention of Sexual Harassment of Employees at The Workplace	Policy version: One
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Effective from: September 01, 2022	Adopted by: Board Resolution dated September 01, 2022

1. BACKGROUND

Mufin Green Finance Limited (“**Company**”) is committed to providing equal opportunity to its Employees (*as defined hereunder*) and strives at creating a healthy working environment that enables Employees to work without fear of prejudice, gender bias and Sexual Harassment (*as defined hereunder*). The Company has put in place, a policy for Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (“**Policy**”) to address any cases of Sexual Harassment, in the interest of ensuring gender equality and the right to work with dignity, which are both recognized as basic human rights. Sexual harassment is a grave offence and is, therefore, punishable. The Company has ensured that the Policy is extended to all the Employees of the Company by making it gender neutral.

The Policy is made and amended from time to time by the Company under the overall ambit and in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“**Act**”).

Considering the Covid-19 pandemic situation, the Company has decided to introduce a different model for employing the Employees. The Company may introduce a work from home (“**WFH**”) model for Employees to continue being employed with the Company. Apart from this, the Company has still retained the work from office model of employment. Employees to take note that the WFH model shall be applicable to an employee only based on approval of the management and / or the board of directors as the case may be.

Irrespective of whether an Employee opts for the WFH model or the work from office model, this Policy shall equally and fairly apply to all Employees and any Employee facing Sexual Harassment shall make a complaint and shall be governed in the manner provided under this Policy.

Where Sexual Harassment occurs against any Employee as a result of an act by a third party or outsider while at the Workplace, the Company will take all necessary and reasonable steps as per the applicable rules and regulations, to initiate action with the employer of the third party or outsider. This Policy shall be applicable to any allegation of Sexual Harassment at the Workplace. The Policy applies to both female and male Employees and any gender specific term will be applicable to both genders.

In recognition of the same, this Policy shall be interpreted as applicable to relevant Employees.

2. DEFINITIONS

2.1. “**Sexual Harassment**” shall mean any one or more of the following unwelcoming acts or behaviour:

- 2.1.1. physical contact and advances; or
- 2.1.2. a demand or request for sexual favors; or

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- 2.1.3. making sexually coloured remarks; or
- 2.1.4. showing pornography; or
- 2.1.5. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Further, the following circumstances may amount to sexual harassment if it occurs or is present in relation to any other act of Sexual Harassment:

- (i) where an owner, employer, supervisor, member of management or co-Employee undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefit of an Employee or job applicant, in exchange for sexual favours i.e. Quid pro quo harassment;
- (ii) Implied or explicit promise of preferential treatment in his/her employment, for example promotions or beneficial evaluation of a person towards his/her contribution to the Company or where a person who is in a position of authority rewards only those who respond to his/ his/her sexual advances, whilst other deserving Employees who do not submit themselves to any sexual advances are denied appropriate promotions, merit rating or salary increases i.e. Sexual favouritism; or
- (iii) Implied or explicit threat of detrimental treatment in his/her employment; or
- (iv) his/her present or future employment status; or
- (v) Conduct that interferes with his/her work or creates an intimidating or hostile work environment; or
- (vi) Humiliating treatment likely to affect health or safety.

Indulging in any act of 'Sexual Harassment' as provided herein above, shall be deemed to be "Misconduct" under the service rules of the Company

- 2.2. **"Workplace"** shall mean the Company premises and also includes any place visited by the Employee during the course of employment including use of transportation provided by the Company.
- 2.3. **"Complainant"** shall mean any Employee of the Company who alleges to have been subjected to any act of Sexual Harassment at the Workplace as defined above.
- 2.4. **"District Officer"** means an officer notified by the appropriate government who may be a district magistrate or additional district magistrate or the collector or deputy collector as a district officer for every district to exercise powers or discharge functions under the Act.
- 2.5. **"Employee"** shall mean all regular and non-regular personnel of the Company, whether permanent or temporary, probationary, trainees, part-time or consultants or working on a voluntary basis or engaged through an agent or contractor.
- 2.6. **"Employer"** means any person responsible for the Management, supervision and control of the workplace;
- 2.7. **"Management"** includes the person nominated by the board or committee responsible for formulation and administration of policies for the Company;
- 2.8. **"Respondent"** shall mean the person against whom the allegation of Sexual Harassment has been made by the Complainant.
- 2.9. **Constitution of Internal Committee:** The Management is pleased to constitute a Committee for prevention of sexual harassment in our establishment and to deal with all the cases of alleged Sexual Harassment and shall be constituted as per the provisions of the Act. An Internal

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Complaints Committee (“**Internal Committee**”) is constituted by the Company, as per the provisions of the Act and detailed in **Annexure 1** to this Policy.

3. ROLES AND RESPONSIBILITIES

3.1. Employees

- 3.1.1. Familiarize themselves with the key elements of the Policy.
- 3.1.2. Abstain from committing any acts which amount to Sexual Harassment at the Workplace.
- 3.1.3. Report incidents of Sexual Harassment without fear or favor.
- 3.1.4. Create an environment of conduciveness for co-workers to work together without fear of Sexual Harassment.

3.2. Employer

- 3.2.1. Provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace and display at any conspicuous place in the Workplace the penal consequences of Sexual Harassment.
- 3.2.2. Spread/create awareness at regular intervals for sensitizing the Employees with the procedure and provisions of the Policy and Act and orientation programs for the members of the Internal Committee. Training for members of Internal Committee should address the procedures of investigations, skills necessary for enquiries and documenting the procedures.
- 3.2.3. Provide necessary facilities to the Internal Committee, as the case may be, for dealing with the complaint and conducting an inquiry.
- 3.2.4. Assist in securing the attendance of Respondent and witnesses before the Internal Committee.
- 3.2.5. Make available such information to the Internal Committee as it may require having regard to the complaint.
- 3.2.6. In event the Respondent is not an Employee then provide necessary support and assistance to the Complainant.
- 3.2.7. Treat Sexual Harassment as a misconduct under the service rules and initiate action for such misconduct.
- 3.2.8. Monitor the timely submission of reports by Internal Committee as per the applicable provisions of jurisdictional / local laws and the Act and Rules made thereunder.
- 3.2.9. To disclose in the annual report of the Company published for every financial year, the number of cases filed, disposed of and pending on Sexual Harassment.

4. FUNCTIONING OF INTERNAL COMMITTEE

- 4.1. The Internal Committee will meet as and when the complaints are received from the Employees with regard to any complaints of sexual harassment.
- 4.2. The Internal Committee shall meet within 24 hours of the complaint being received.
- 4.3. Notice of the member of the committee shall be in writing or in exceptional circumstances on oral intimation.
- 4.4. The Internal Committee shall meet in the Company premises at any place where provision is made for inquiry.





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- 4.5. Any aggrieved person who has complaint of sexual harassment by any co-Employee in the course of her employment is at liberty to make a complaint in writing to any of the members.
- 4.6. If any member other than the secretary receives the complaint, he or she shall forthwith call upon the secretary of the committee to convene the meeting.
- 4.7. The Internal Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the Company and the District Officer.
5. **COMPLAINT OF SEXUAL ASSAULT:** Any Complainant may make, in writing a complaint of Sexual Harassment at the workplace to the Internal Committee, within, *but not restricted to*, a period of 3 (three) months from the date of the incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident.
 - 5.1. Where the Complainant, cannot make a complaint in writing, the presiding officer of the Internal Committee or any member of the Internal Committee shall render all reasonable assistance to the Employee for making the complaint in writing.
 - 5.2. Where the Complainant is unable to make a complaint on account of her physical incapacity, a complaint may be filed by (a) her relative or friend, or (b) her co-worker, or (c) an officer of the National or State Commission for Women, or (d) any person who has knowledge of the incident, /with the written consent of the Complainant.
 - 5.3. Where the Complainant is unable to make a complaint on account of her mental incapacity, a complaint may be filed by (a) her relative or friend, or (b) a special educator, or (c) a qualified psychiatrist or psychologist, (d) the guardian, or (e) any person who has knowledge of the incident jointly with any of the persons mentioned in Clause 5.3 (a) to (d).
 - 5.4. Where the Complainant, 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 the written consent of the Complainant.
 - 5.5. The Internal Committee may, for the reasons to be recorded in writing, extend the time limit for a period agreed upon by the committee, if it is satisfied that there were unavoidable circumstances which prevented the Complainant from filing a complaint within the period referred above. Such complaint shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name of the Respondent. The information disclosed by such Complainant should be treated as confidential information by the members of the Internal Committee.
 - 5.6. If the Complainant would like to initiate action under the Indian Penal Code, 1860 (“**IPC**”), she may inform the management of the Company of the same, and the management will provide necessary assistance to the Complainant to file the complaint in relation to the offence under the IPC.
6. **CONCILIATION**
 - 6.1. The Internal Committee may, before initiating an inquiry under Clause 7 below and at the request or the aggrieved person take steps to settle the matter between the Complainant and the Respondent through conciliation. However, no monetary settlement shall be made the basis of conciliation.
 - 6.2. If settlement is arrived at through conciliation, the Internal Committee shall record the settlement so arrived and forward the same to the Management of the Company to take action as specified in the recommendation.

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6.3. The Committee shall provide copies of the settlement, as recorded, to the Complainant and the Respondent.

6.4. Where a settlement is arrived at through conciliation, no further inquiry shall be conducted by the Internal Committee.

7. PROCEDURE FOR INQUIRY

7.1. Where the Complainant informs the Internal Committee that any term or condition of the settlement arrived under conciliation process has not been complied with by the Respondent, the Committee shall proceed to make an inquiry into the complaint.

7.2. On receipt of the complaint, the Internal Committee shall serve notice of inquiry along with the copy of the complaint received from the Complainant to the Respondent within 3 (Three) working days from the date of receipt of the copy of the complaint.

7.3. The Respondent shall file his reply to the complaint along with his list of documents and names and addresses of the witnesses, within a period not exceeding 3 (Three) working days from the date of receipt of the copy of the complaint.

7.4. At the time of inquiry both the Complainant and the Respondent shall be personally called and 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 Internal Committee .

7.5. The Internal Committee members are at liberty to cross – examine any of the parties and record their statement to ascertain the truth of the complaint.

7.6. If any of the parties specifically requests, maximum of 2 (two) witnesses can be allowed from each side to substantiate their claim.

7.7. The Internal Committee shall consider the statement and other evidence available, in a joint sitting and decide the truth or otherwise of the complaint by majority decision.

7.8. Quorum for committee meeting shall be minimum 2 (two) members.

7.9. The committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, after giving a notice in writing, 15 (Fifteen) days in advance to the party concerned, if the Complainant or Respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Internal Committee.

7.10. The committee will make inquiry into the complaint in accordance with the principles of natural justice.

7.11. The inquiry shall be completed within a period of 90 (Ninety) days.

7.12. The report of the Internal Committee shall be forwarded to the management proposing the action to be taken whenever the complaint is found true.

8. INTERIM RELIEF

8.1. During the pendency of the inquiry, the Internal Committee may recommend the Management of the Company to:





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- 8.1.1. transfer the Complainant or the Respondent to any other Workplace; or
- 8.1.2. grant leave to the Complainant for a period of up to 3 (three) months (which shall be in addition to the leave entitled to by the Complainant); or
- 8.1.3. prevent the Respondent from assessing the Complainant's work performance; or
- 8.1.4. grant such other relief as may be appropriate by the Internal Committee.

9. INQUIRY REPORT

- 9.1. On the completion of an inquiry, the Internal Committee will provide a report of its findings to the management of the Company, within a period of 10 (Ten) days from the date of completion of the inquiry and such report will be made available to the concerned parties.
- 9.2. In the event that the Internal Committee arrives at the conclusion that there is no case for Sexual Harassment, then the complaint may be dropped by the Internal Committee, and the Internal Committee shall notify the Management of the Company of the same.
- 9.3. Where the Internal Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the management of the Company to:
 - 9.3.1. Take appropriate action, including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the Respondent from service of the Company or that the Respondent undergoes a counselling session or carry out community service;
 - 9.3.2. Deduct from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heir; or
 - 9.3.3. Take actions in accordance with service rules which treat Sexual Harassment as a 'misconduct'.

For the purpose of determining the sums to be paid to the aggrieved woman in Clause 9.3 above, the Internal Committee shall:

- a) have regard to the (i) 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; (iv) the income and financial status of the Respondent; and (v) feasibility of such payment in lump sum or in instalments;
- b) in case it is not possible to make such deduction from the salary of the Respondent due to his being absent from duty or cessation of employment the Management may direct to the Respondent to pay such sum to the aggrieved woman; or
- c) in case the Respondent fails to pay the sum referred to in the above clause, the Internal Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer

10. ACTION BY MANAGEMENT

- 10.1. Any report given by the Internal Committee for prevention of Sexual Harassment will be considered by the designated disciplinary authority within 10 (ten) days from the date of its receipt.
- 10.2. There shall be no need for a further inquiry to take action against the convicted wherever the report is made and reasons for their conclusion is given.
- 10.3. The Management shall take action against the convicted under the provisions of the certified standing orders of the Company.

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- 10.4. The action taken on the basis of the complaint and decision of the management shall be communicated to the Complainant in writing.
- 10.5. The decision of the disciplinary committee in the above matter is final.
- 11. ACTION FOR FALSE AND MALICIOUS COMPLAINTS:**
- 11.1. Where the Internal Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant or any other person making the complaint has made the complaint knowing it to be false or the Complainant or any other person making the complaint has produced any forged or misleading document, it may recommend to the Management to take action.
- 11.2. A mere inability to substantiate a complaint or provide adequate proof shall need not attract action against the Complainant.
- 11.3. Before any action is recommended, the malicious intent on part of the Complainant shall be established by the inquiry process.
- 12. APPEAL:** Any person aggrieved from the recommendations made by the Internal Committee or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.
- 13. CONFIDENTIALITY:** All matters of harassment will be treated with sensitivity and discussed only with parties that have a legitimate business need-to-know. Confidentiality is very important and will be maintained to the extent permitted by the circumstances. All the contents of the complaint, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the Company shall not be published, communicated or made known to the public, press or media in any manner.
- 14. PROTECTION AGAINST RETALIATION:** Regardless of the outcome of the complaint made in good faith, the Complainant and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of Sexual Harassment, the Internal Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the Respondent. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the Respondent against the Complainant while the investigation is in progress should be reported by the Complainant to the Internal Committee as soon as possible. Disciplinary action will be taken by the Company in relation to any such complaints which are found genuine.





ANNEXURE – 1

INTERNAL COMMITTEE MEMBER DETAILS

Name	Designation	Email ID	Mobile No.
Ms. Gunjan Jain	Presiding Officer	gunjan.jain@mufinfinance.com	9953300163
Ms. Yashi Gupta	Member	yashi.gupta@mufinfinance.com	9871147737
Mr. Praveen Sabarwal	Member	Psabharwal@mufinfinance.com	8130195766
Mr. Ankit Garg	External Member	ankit.kraindia708@gmail.com	-

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