



## Prevention Of Sexual Harassment Policy at Workplace

<b>Policy Document Name</b>	Prevention of Sexual Harassment (POSH)
<b>Policy Version</b>	Version 2
<b>Date Of Issue</b>	August 11, 2023
<b>Effective Date</b>	August 11, 2023

### 1. Policy Statement

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed there under (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

**MUFIN GREEN FINANCE LIMITED** embodies the concept of equality and prohibits all kind of discrimination on the grounds of religion, race, caste, sex or place of birth or any of them. The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment. These rules and regulations have been framed to prevent any kind of sexual harassment within the office premises or outside, involving its employees /vendors / customers / any other persons who in any form deals with the organization. These rules will also be applicable in case of harassment taken place between the employer and the employee.

### 2. Scope

This policy applies to all employees (full-time, part-time, trainees and those on contractual assignments) of **MUFIN GREEN FINANCE LIMITED** at all locations. All workers, at every level, will be subject to discipline, up to and including discharge, for any violation of this policy. Employees are prohibited from harassing others both on and off the employer premises and during or outside of work hours. 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.





### 3. Definitions

- **Aggrieved woman** - 'Aggrieved Woman' in relation to a workplace means, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman
- **Employee** – 'Employee' for this policy means a person employed in the organization for any work on regular, temporary, 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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name .
- **Employer** - A person responsible for management, supervision and control of the workplace
- **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with **MUFIN GREEN FINANCE LIMITED**, including transportation provided for undertaking such a journey.
- **Sexual Harassment** – 'Sexual Harassment' shall mean and include any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
  - Physical contact and advances or
  - A demand or request for sexual favors or
  - Making sexually colored remarks or
  - Verbal abuse or 'joking' that is sex-oriented,
  - Showing pornography or
  - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

The following circumstances, among others, if it occurs or is present in relation or connected with any act or behavior of sexual harassment may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in her employment, or
- Implied or explicit threat of detrimental treatment in her employment, or
- Implied or explicit threat about her present or future employment status, or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her, or
- Humiliating treatment likely to affect her health or safety

**[Any term which has not been defined explicitly in this Policy, shall be construed as defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013]**





#### 4. 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" is constituted, out of which at least one-half of total Members of the committee including Presiding Officer are women. The Presiding Officer and every Member of ICC shall hold office for a period for which he or she is appointed and such period in any circumstances shall not exceed three years from the date of his / her nomination.

All members of the ICC shall have one vote each and all issues at ICC shall be decided by majority vote only. If members are equally divided, then the presiding officer shall have an extra or casting vote. All members of ICC shall work on honorary basis.

The Committee will comprise of the following 4 members:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace
2. At least 2 members from amongst employees
3. 1 external member preferably from a N.G.O.

The **committee** is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Current nominated members of the committees are given in Annexure I.

#### **Procedure for resolution, settlement or prosecution of acts of sexual harassment:**

#### 5. Lodging a Complaint

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace. Any aggrieved woman may file a written complaint with any member of the Committee or send an email to [hr@mufinfinance.com](mailto:hr@mufinfinance.com), within a period of **3 months** from the date of the incident and in case of series of incidence within a period of **3 months** from the date of the last incident and within 180 calendar days for ex-employees of the Company and in case of a series of incidents, within a period of three months from the date of last incident.

The committee can extend the timeline by another **3 months** for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint. Provided that where such complaint cannot be made in writing, the Presiding Officer or any other Member of the ICC shall render all reasonable assistance to the woman for making the complaint in writing.

- The ICC for reasons to be recorded in writing, can extend the time limit not exceeding 3 months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within said period.
- Where the aggrieved woman is unable to lodge the complaint on account of her physical or mental incapacity or death or otherwise, her legal heir, relative, friend, co-worker or any person having the knowledge of the incident can make a complaint on her behalf, with her written consent to the ICC.

CIN : L65990RJ2016PLC054921



011-42610483



[www.mufingreenfinance.com](http://www.mufingreenfinance.com)



[connect@mufingreenfinance.com](mailto:connect@mufingreenfinance.com)



- The ICC will maintain written/electronic records to endorse the complaint received by it and keep the contents confidential, except to use the same for discreet investigation.
- If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

## **6. Receiving a Complaint (guidelines)**

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint:

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily
- Situations are not to be pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, complainant's own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity
- Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent

## **7. Conciliation Proceedings**

### **Resolution procedure through conciliation**

- Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.
- It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared. In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint.
- The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.







### **Resolution procedure through formal inquiry**

#### **Conducting Inquiry**

The committee initiates inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

The Committee proceeds to make an inquiry into the complaint within a period of **1 week** of its receipt of the original complaint/closure of conciliation/repeat complaint.

#### **8. Manner of inquiry into complaint:**

- Complainant should submit the **six copies** of complaint along with supporting documents and the names and addresses of the witnesses
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within **7 working days**
- Respondent replies with all supporting documents within **10 working days** of receiving the copy of the complaint
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members of the Committee including the Presiding Officer, shall be present for the hearing or participate through audio calls.

#### **9. Interim relief**

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to –

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same

#### **10. Termination of Inquiry**

Committee at **MUFIN GREEN FINANCE LIMITED** may terminate the inquiry or give ex-parte decision, if the complainant or respondent respectively is absent for 3 consecutive hearings, without reason 15 days written notice to be given to the party, before termination or ex-parte order.





### **11. Inquiry procedure**

All proceedings of the inquiry should be documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation 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 complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are taken.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements.

In case the complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such 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. For the purpose of making an inquiry, the Committee shall have the same powers as are vested in the civil court under Code Of Civil Procedure,1908.

### **12. Considerations while preparing inquiry report**

While preparing the findings/recommendations, following are 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 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
- A copy of the proceedings were made available to both parties enabling them to make representation against the findings.
- A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee

### **13. Action to be taken after inquiry**

Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within **10 days** of completion of the inquiry.

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

If the situation so requires, or upon request of the complainant, respondent or witness, Management at **MUFIN GREEN FINANCE LIMITED** may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.





#### 14. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. 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.

#### 15. Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- Counseling
- Censure or reprimand
- Apology to be tendered by respondent
- Written warning
- Withholding promotion and/or increments
- Suspension
- Termination
- Or any other action that the Management may deem fit.

The Company shall act upon the recommendation of the Committee with **sixty (60) days** of receipt of the report of the Committee.

#### 16. Action during Pendency of Inquiry

During the pendency of an inquiry, on a written request made by the aggrieved woman, the ICC may recommend to the employer to:

- Transfer the aggrieved woman or the respondent to any other department ; or
- Grant leave to the aggrieved woman up to a period of **three months**; or
- Grant such other relief to the aggrieved woman as ICC may consider desirable
- On the recommendation of the ICC, employer, wherever he feels that recommendation is appropriate, shall proceed to implement the same and send a report about such implementation to the ICC. However, wherever, in his opinion, recommendations are not appropriate, he shall discuss and finalize recommendation in consultation of ICC and thereafter proceed to implement the same.

#### 17. Inquiry Report

- On the completion of an inquiry under this Act, the ICC shall provide a report of its findings to the employer within a period of **ten (10) days** from the date of completion of the inquiry and such report shall also be made available to the concerned parties

- Where the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.

Where the ICC arrives at the conclusion that allegation against the respondent has been proved, it

CIN : L65990RJ2016PLC054921



011-42610483



www.mufingreenfinance.com



connect@mufingreenfinance.com



shall recommend to the employer:

- To take action for sexual harassment as a misconduct in accordance with the provisions of the Service Rules applicable to the respondent.

To deduct, notwithstanding anything in the Service Rules applicable to the respondent, 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 heirs.

- The employer shall act upon the recommendation of ICC within 60 days of its receipt
- However, where an employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment, it may direct the respondent to pay such sum to the aggrieved woman directly.
- In case respondent fails to pay the sum referred to in clause (4) above, the ICC may forward the order for recovery of the sum as an arrear of land revenue to the concerned District officer.

### **18. Punishment for False or Malicious Complaint and False Evidence**

- Where the ICC 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 any misleading document, it may recommend to the employer to take action against the woman or the person who has made the complaint. However, mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section.
- Where the ICC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the Service Rules applicable to said witness or where no such rules exist, in such manner as may be prescribed by the Govt. in this regard.

### **19. Confidentiality**

An employee filing a bonafide harassment complaint shall be protected from reprisals or retaliation as a result of filing the complaint. Investigators will make every effort to strike a balance between the parties' desires for privacy and the need to conduct a fair and effective investigation

- The employer shall take all necessary steps to ensure that the contents of the complaint made, the identity and address of the aggrieved woman, respondent and witness, any information related to conciliation and inquiry proceedings, recommendations of the committee and, as the case may be, the action taken on them, shall not be published, communicated and made known to the public, press and media in any manner
- Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

### **20. Appeal**

Any party not satisfied or further aggrieved from the recommendation of ICC or publication or making known contents of Complaint or any inquiry proceedings, may appeal to the appellate authority in accordance with the Act and rules, within **90 days** of the recommendations being communicated.





**Annexure-I****INTERNAL COMPLAINTS COMMITTEE****INTERNAL COMPLAINTS COMMITTEE**

NAME	IC ROLE	Official Email ID	Contact No.
Ms. Gunjan Jain	Presiding Officer	<a href="mailto:gunjan.jain@mufinfinance.com">gunjan.jain@mufinfinance.com</a>	9953300163
Ms. Yashi Gupta	Internal Member	<a href="mailto:yashi.gupta@mufinfinance.com">yashi.gupta@mufinfinance.com</a>	9871147737
Mr. Praveen Sabharwal	Internal Member	<a href="mailto:psabharwal@mufinfinance.com">psabharwal@mufinfinance.com</a>	8130195766
Mr. Ankit Garg	External Member	<a href="mailto:ankitgarg.kraindia@gmail.com">ankitgarg.kraindia@gmail.com</a>	9711368221

The below is only an indicative list of basic Do's and Don'ts and is in no way intended to be construed as an exhaustive list.

**Do's**

- Know **MUFIN GREEN FINANCE LIMITED** Policy on Prevention of Sexual Harassment
- Be aware of inappropriate behaviors and avoid the same.
- Say –"NO" if asked to go to places, do things or participate in situations that make you uncomfortable.
- Trust your instincts. Walk away from uncomfortable situations.
- Say –"NO" to offensive behavior as soon as it occurs.
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy.
- Maintain confidentiality regarding any aspect of an inquiry to which they may be party to.

**Don'ts****Verbal harassment:**

- Sexually suggestive comments or comments on physical attributes.
- Offensive language that insults or demeans a colleague, using terms of endearment.
- Singing or humming vulgar songs.
- Requests for sexual favors, sexual advances, coerced acts of a sexual nature.
- Requests for dates or repeated pressure for social contact
- Discussing sexual activities, sexual prowess or intruding on the privacy of an associates.
- Sexually colored propositions, insults or threats
- Graffiti in the office premises.

**Nonverbal harassment:**

- Offensive gestures, staring, leering or whistling with the intention to discomfort another.
- Even if not directly done to a particular individual, uttering a word, making a gesture or exhibiting any object with the intention that such word, gesture, or object be heard or seen by associates. Sounds, gestures, display of offensive books, pictures, cartoons, magazines, calendars or derogatory written materials at one's workplace.
- Showing or mailing pornographic posters, Internet sites, cartoons, drawings.
- Suggestive letters, phone calls, SMS, electronic instant messaging or e-mail messages.

CIN : L65990RJ2016PLC054921



011-42610483

[www.mufingreenfinance.com](http://www.mufingreenfinance.com)[connect@mufingreenfinance.com](mailto:connect@mufingreenfinance.com)



## MUFIN GREEN FINANCE LIMITED

*Formerly known as APM Finvest Ltd.*

### **Physical harassment:**

- Physical contact or advances.
- Intentional touching of the body, e.g. Hugs, kisses, brushing, fondling, pinching etc. that make others uncomfortable.
- Any displays of affection that make others uncomfortable or are inappropriate at the workplace.

---

CIN : L65990RJ2016PLC054921



011-42610483



[www.mufingreenfinance.com](http://www.mufingreenfinance.com)



[connect@mufingreenfinance.com](mailto:connect@mufingreenfinance.com)

**Corporate office** : 202, 2nd Floor, Best Sky Tower, Netaji Subhash Place, Pitampura, New Delhi -110034

**Registered Office** : SP-147, RIICO Industrial Area, Bhiwadi, Distt. Alwar, Rajasthan-301019