



BELSTAR MICROFINANCE LIMITED

ANTI SEXUAL HARASSMENT POLICY

@Reviewed by The Board of Directors on May 09, 2023

Contents

1. PREFACE	3
2. OUR COMMITEMENT	3
3. OBJECTIVE.....	3
4. DEFINITIONS	4
5. PROCEDURE	7
A. COMPLAINT.....	7
B. INQUIRY AND REPORTING	8
C. REDRESSAL	9
D. CONFIDENTIALITY	10
6. REPORTS.....	10
7. EMPLOYEE AWARENESS.....	11
8. POWERS TO AMEND THE POLICY	11
Annexure-A.....	12

BELSTAR MICROFINANCE LIMITED (BELSTAR) is a highly developmental and socially oriented NBFC-MFI working towards achieving its vision of alleviating poverty through job creation and integrated community development. The mission of the company is to financially empower women and help them build and manage sustainable livelihoods. The company is committed to creating and maintaining a secure work environment where its employees are treated with dignity and can work in an environment free of harassment, exploitation and intimidation caused by acts of sexual harassment within but not limited to the office premises and other locations directly related to the company's business.

1. PREFACE

"The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013" ('hereafter referred to as 'the act') has been enacted by the Parliament of India which provides for protection against sexual harassment of women at workplace and the redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

As per the provisions of the Act, every employer is bound to abide by the provisions and guidelines of the Act.

The Anti Sexual Harassment Policy ('hereafter referred to as the policy') of BELSTAR has been laid down in accordance with the provisions of the act.

2. OUR COMMITMENT

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are subjected to any form of harassment.

3. OBJECTIVE

The prime objective of the policy is,

- a) To promote a work place free from sexual harassment, prevent and minimize harassment of sexual nature, and provide an appropriate complaint mechanism to redress the complaints and ensure time bound redressal.
- b) To put in place a mechanism for prevention and redressal of sexual harassment cases at work place.
- c) To create a secure and stress-free environment for women workers/ employees

- d) To ensure that no gender based discrimination takes places which hinders women's progress and equal opportunities for them
- e) To promote a healthy work environment in which men and women can work as colleagues and develop to their fuller potential.

The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusations.

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the company for undertaking such visit.

The policy covers sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including contract employees

In cases where a BELSTAR employee is subjected to sexual harassment by a third party who is not an BELSTAR employee, this policy mandates immediate action to protect the complainant and to initiate action against the harasser, either through the appropriate policy of the concerned employer or, in cases where this is not possible, through the criminal justice system.

Nothing contained in this policy 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.

4. DEFINITIONS

Definitions of some of the key terms used within the policy in cognizance with the act are as follows;

i. Aggrieved Woman / Complainant:

Women employees of the company (to whom this policy covers as mentioned under 'SCOPE'), who alleges to have been subjected to any act of sexual harassment by the respondent.

ii. Respondent:

A person against whom the 'aggrieved woman' has made a complaint of sexual harassment.

iii. Employee:

Means a:

- a) Permanent and temporary employees
- b) Trainees / Volunteers
- c) Employees on contract at the company's workplace
- d) Employees of member organisations who come in contact with BELSTAR staff as a result of the role of in the member organisation.

iv. Employer:

Means any person responsible for the Management, supervision and control of the work place; it also includes person discharging contractual obligation with respect to his or her employees.

v. Sexual Harassment:

A. Sexual Harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:

- a. Unwelcome sexual advance involving verbal, nonverbal or Physical contact and advances; or
- b. A demand or request for sexual favors; or
- c. Making Sexually colored remarks, jokes, letter, phone calls, email, showing pornography, lurid stares, physical contract or molestation, stalking, sounds, display of offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or
- d. Eve teasing innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy
- e. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature;

B. 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:

- a. Implied or explicit promise of preferential treatment in their employment;
- b. Implied or explicit threat of detrimental treatment in their employment;

- c. Implied or explicit threat about their present or future employment status;
- d. Interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- e. Humiliating treatment likely to affect the health and safety of the aggrieved woman.

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.

vi. Internal Complaints Committee:

The Committee shall address the issues arising out of sexual harassment within the set framework as received from aggrieved women or by their legal heirs or other persons authorized in laws. The Committee shall consist of such number of members as prescribed by sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act and rules 2013 or amended rules/regulation/ laws from time to time.

The Chief Human Resources Officer shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace.

a) Presiding Officer – a female employee at the senior level from amongst the employees. If a female employee is not available at the senior level within the company, the Presiding Officer may be nominated from other units including Group entities.

b) Members –

i. Two members –

Not less than two employees preferably committed to the cause of women or who have had experience in social or has legal knowledge.

ii. One independent member from amongst NGO's or associations committed to the cause of women or person familiar with the issues relating to sexual harassment whose terms of employment may be as decided by the Board of Directors.

Provided at least one half of the total members nominated be women.

The Committee will function from the Head office of BELSTAR.

The Presiding Officer of the Internal Complaints Committee shall hold office for a period of three years and if the Presiding Officer is removed for any reason, the vacancy should be filled in by fresh nomination.

5. PROCEDURE

A. COMPLAINT

- i. When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.
- ii. If the harassment continues, the aggrieved woman may make, in writing (As per **Annexure A** to a dedicated e-mail id:), a complaint of sexual harassment at the workplace to the Presiding Officer or any of the members of the Internal Complaints Committee within three months from the date of the incident and in case of a series of incidents, within three months of the last incident. The time limit may be extended by the Committee for reasons to be recorded in writing, if it is satisfied that there were sufficient reasons for not filing the complaint on time.
- iii. If the aggrieved woman cannot make complaint in writing, the Presiding Officer or the members shall give reasonable assistance to the aggrieved woman for making the complaint in writing.
- iv. Where the aggrieved woman is unable to make the complaint on account of her death or physical or mental incapacity or otherwise, her legal heir or her friend or co – worker or any person with the knowledge of the incident with the written consent of the aggrieved woman may make the complaint.
- v. The Committee shall maintain a register to record all the details of the complaints received and keep the contents confidential otherwise than for the purpose of enquiry.
- vi. The aggrieved woman or the person making the complaint should produce additional information / evidence as required by the committee for inquiry.

B. INQUIRY AND REPORTING

- i. On receipt of complaint of sexual harassment, the Internal Complaints Committee should first verify the details submitted and call both the complainant and the respondent for a formal enquiry.
- ii. The respondent should submit his / her reply within 7 days of being intimated of the complaint.
- iii. The Internal Complaints Committee may take steps to settle the matter between the parties concerned through conciliation. **However, monetary settlement will not be a basis of conciliation.**
- iv. Where a settlement has been arrived as above, the Committee shall record the same in writing and forward the details of the case and settlement to the Chairperson of the Committee.
- v. Where a settlement has thus been arrived, no further inquiry will be made and the case will be treated as closed. A written statement to this effect should be obtained from both the parties involved with the details of the case and settlement mentioned clearly.
- vi. If the case is not resolved through settlement, the case should be forwarded to the Chairperson of the Committee for further action. The decision of the Chairperson will be final.
- vii. During the pendency of inquiry, the aggrieved woman may request the company in writing to:
 - a. Transfer the aggrieved woman or the respondent to any other workplace or,
 - b. Grant leave to the aggrieved woman till inquiry is completed or,
 - c. Grant such other relief to the aggrieved woman as may be decided by the Chairperson. (No Monetary relief should be provided).

The leave to be granted for the purpose of the inquiry will be in addition to the leave the aggrieved woman is otherwise entitled as per her employment.
- viii. The inquiry by the Committee should be completed within a month of receipt of complaint.
- ix. After completion of inquiry, the committee should submit its report to the Chairperson within 10 days of the completion of the inquiry and such report would be made available to the concerned parties.

C. REDRESSAL

- i. Where the Chairperson is convinced that, the complaint against the respondent has been proved, the Chairperson may recommend to the company, the appropriate action to be taken
- ii. Appropriate action may include:
 - a. Action against misconduct of the respondent as per service rules,
 - b. To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
 - c. To deduct, any sum from the salary / wages of the respondent as considered appropriate, to be paid to the aggrieved woman or her legal heir,
 - d. If the above deduction is not possible due to any reasons, the respondent may be directed to pay the sum by any other way.
 - e. Suspension / termination of employment of the respondent.
 - f. Proceeding for legal action. Proper assistance should be given to the aggrieved woman to file a police complaint if necessary.
- iii. Any one or more of the above action should be taken within 30 days of the Committee filing the report.
- iv. For the purpose of determining the sums to be paid to the aggrieved woman / her legal heir, the committee shall have regard to,
 - a. The mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
 - b. The loss in career opportunity due to the harassment incident;
 - c. Medical expenses incurred by the victim for physical / psychiatric treatment;
 - d. The income and financial status of the respondent;
 - e. The feasibility of such payments in lumpsum or in installments.
- v. If the Internal Complaint Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved woman or any other person making the complaint on behalf of the aggrieved woman produced false or forged or misleading evidence / information to prove her case, the Internal Complaint Committee may recommend action to be taken against the person who has made the complaint, including termination of service.

- vi. 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 Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading information. It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints.
- vii. The company realises 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.
- viii. Any person aggrieved by the order of the Chairperson may approach the Managing Director directly for remedy within 30 days of receipt of order.

D. CONFIDENTIALITY

- i. The details of the complaints made under this policy, the identity of the complainant or the respondent or the witnesses or any other person connected with the inquiry; the proceedings, findings of the inquiry should be kept strictly confidential.
- ii. However, the information regarding the justice secured to any victim of sexual harassment may be disseminated without disclosing the identity of the people involved for creating awareness.

6. REPORTS

Report to the Board of Directors

Quarterly Report

A quarterly status report on the total number of complaints received and the status of each complaint with the summary of findings has to be submitted to the board of Directors by the Chairperson of the Internal Complaints Committee.

Annual Report

The Internal Complaint Committee shall prepare an annual report and shall submit the same to the Board of Directors.

Annual report will include the following details:

- a. Number of complaints of sexual harassment received during the year;
- b. Number of complaints disposed off during the year;
- c. Number of cases pending;
- d. Number of workshops or awareness program against sexual harassment carried out;
- e. Nature of action taken by the employer.

7. EMPLOYEE AWARENESS

1. All the employees shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the Internal Complaints Committee / HR team.
2. The Company shall display the policy and the details of the Internal Complaints Committee in English and in the concerned vernacular language at all its workplaces at a conspicuous place. Employees should be made aware of their rights under this policy.
3. A brief shall be given to all existing employees regarding the features of this policy immediately on formulation of the Policy and to new employees of the company during their initial Induction.
4. The company should conduct regular workshops to sensitise employees regarding the company's stance on sexual harassment and about the consequences of engaging in any conduct that amounts to sexual harassment.
5. The company shall also make known to the employees the amendments / alterations made to the policy from time to time.

8. POWERS TO AMEND THE POLICY

The Board of Directors is entitled to make amendments to the policy and to establish further rules and regulations for the effective implementation of this policy as required from time to time. Such

amendments will become effective only upon being communicated in writing to the employees.

While care has been taken to provide an exhaustive procedure for the implementation of this policy, ambiguities which are not addressed in this policy will be investigated / proceeded with keeping in mind the scope and intent of this policy.

Annexure-A

Compliant Form A	
Date of Event	
Name of the Complainant /victim	
Name of Accused	
Details of Incident (including place where event occurred)	
Employee Code of Compliant/Victim	
Department of Compliant/Victim	
Department of Accused, if known	
