

Prohibition of Sexual Harassment Policy

Introduction

N.B.I. Industrial Finance Co. Ltd. (NBI) believes in gender equality and aims to provide a safe working environment at the workplace for all people especially women including safety from the persons coming into contact at the workplace. Sexual harassment of women in workplace is of serious concern to humanity on the whole. It cannot be construed to be in a narrow sense, as it may include sexual advances and other verbal or physical harassment of a sexual nature. The victims of sexual harassment face psychological and health effects like stress, depression, anxiety, shame, guilt and so on.

Scope and Applicability

This Policy establishes guidelines not only for the redressal of complaints of sexual harassment but also for the prevention and prohibition of sexual harassment at NBI workplace at all levels.

This Policy is applicable to the directors, key managerial personnel and other employees of the Company. Company encourages all parties associated with it to comply with the aforesaid policy and avoid complicity with anyone who violates this policy.

Definition of Sexual Harassment

No woman shall be subjected to sexual harassment at NBI workplace. Anyone found guilty of the act or behavior will be subject to disciplinary action.

Sexual Harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:-

- Physical contact and advances; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances, among others, if occur or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:-

- Implied or explicit promise of preferential treatment to women in 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.

Internal Committee

Constitution of Internal Committee is not mandatory as of now as the Company is having less than 10 (Ten) employees. The Company will constitute the Internal Committee as per the provisions of The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (the Act) as and when it becomes applicable.

Among other things, the Company shall endeavour to organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and Rules framed there under and arrange to display at any conspicuous place the penal consequences of sexual harassments.

Procedure for making a complaint

Any aggrieved woman may mark her complaint in writing to the Internal Committee or the Local Committee, as the case may be, 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.

Where such complaint cannot be made in writing by the aggrieved woman, the Internal Committee or the Local Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.

In case the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or persons specified in Rule 6 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 may make a complaint under Section 9 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 on her behalf.

The Internal Committee or the Local Committee, as the case may be, extend the time limit for making complain not exceeding three months if it is satisfied with the reasons for delay and record the reasons in writing.

Committee Process

There will be two options:

- i) On receipt of a complaint, the Internal Committee or the Local Committee, as the case may be, before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between the parties through conciliation. No monetary settlement shall be made as a basis of conciliation. The terms of settlement has to be recorded in writing and the copies of such terms of settlement shall be provided to both the parties and no further proceedings shall be conducted once the settlement is reached.
- ii) Proceed to investigate and if found guilty then take action against accused.

Investigation Process – On receiving a complaint, the Internal Committee or the Local Committee, as the case may be, shall:-

- Obtain and record a full step-by-step account of the incident
- Afford natural justice
- Interview all directly concerned separately
- Interview witnesses separately
- Keep records of the interviews and investigation
- Ensure confidentiality and minimize disclosure
- Make a determination as to whether there is sufficient evidence that a reasonable person could conclude that an incident / series of incidents of sexual harassment as defined in this policy has occurred
- Keep confidential record of all details of discussion and steps in the process

The Internal Committee or the Local Committee, as the case may be, shall provide a copy of the findings to both the parties and the Committee shall provide equal and fair opportunity to both the parties to make representations against the findings before the Committee.

Action during pendency of Inquiry

If requested or if the condition of the victim so warrants, the Internal Committee or the Local Committee, as the case may be, may recommend to the employer to:-

- Transfer the aggrieved woman or the respondent to any other workplace; or
- Grant leave to the aggrieved woman upto a period of three months which shall be in addition to the leave she would be otherwise entitled to; or
- Grant such other relief to the aggrieved woman as prescribed under Rule 8 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013

Upon implementation of the recommendation as above the employer shall send a report of such implementation to the Committee.

Final Disposal

Based on the inquiry:-

- i) if the allegation against the respondent has not been proved, the Committee shall recommend that no action is required to be taken in the matter.
- ii) if the allegation against the respondent has been proved, the Committee shall recommend:-
 - to take appropriate action, which may include written apology, warning, reprimand or censure, withholding of pay rise or increments or change of duty for harasser, change in working arrangements or dismissal based on the severity of the incident or undergoing a counseling session or carrying out community service.
 - determine such sum to be paid by the guilty to the aggrieved woman or her legal heir from the salary or wages of the guilty.
- iii) Where it cannot be determined that an incident / series of incidents of sexual harassment has occurred, the Committee may still take action to ensure the proper functioning of the workplace but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining wherever required.

False or Malicious Complaint or False Evidence

Where the Internal Committee or the Local Committee, as the case may be, determines that the accusations were malicious and made with the wrong intention, it may take action against the complainant which shall be the same as those prescribed for the accused if proved guilty. The malicious intention should be established after proper inquiry and inability to substantiate a complaint or provide adequate proof need not attract any action.

Where it is concluded that during the inquiry any witness has given false evidence or produced any forged or misleading document, the Committee shall take appropriate action which may include written apology, warning, reprimand or censure, withholding of pay rise or increments or change of duty for harasser, change in working arrangements or dismissal based on the severity of the incident or undergoing a counseling session or carrying out community service.

Confidentiality

The identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the employer or District Officer, as the case may be, shall not be published, communicated or made known to public, press and media in any manner. The information regarding justice secured to any victim of sexual harassment may be disseminated without disclosing the name, address, identity or any other particulars which may lead to identification of aggrieved woman and witnesses. Any violation of this clause shall be seriously taken and strict action will be taken against the violator.

Annual Report

The Internal Committee or the Local Committee, as the case may be, shall prepare in each calendar year an annual report and submit the same to the employer and the District Officer. The report shall include, among other things, the number of cases filed and their disposal in respect of all cases of sexual harassment. This information shall form part of the annual report of the Company.

Review of the Policy

The Company Secretary and the Chief Financial Officer of the Company are jointly and/or severally authorised to review this Policy as and when required and make revisions as may be needed from time to time after approval from the Board of Directors of the Company.