



DIVYA CAPITAL ONE PRIVATE LIMITED

Anti-Sexual Harassment Policy

**As per Prevention of Sexual Harassment of Women at Workplace
(Prevention, Prohibition and Redressal) Act, 2013**

1. Objective

Divya Capital One Private Limited has a zero-tolerance policy for any act of sexual harassment of any kind and any act of suppressing or distortion of such facts or evidence and retaliation. Divya Capital One Private Limited is committed to take all necessary steps in ensuring that its staff works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

2. Scope and Applicability

This is applicable to all employees in the organization including any gender, part time employees or on contract or service providers deployed on the premises. The policy covers such acts occurred within the premises of the organisation or deemed premises which are within the organisation's control.

3. Policy/Process

4.1. Policy Statement

The Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read along with its Rules of 2013, (the "Act") states that no employee shall be subject to Sexual Harassment at any Workplace.

4.2. POSH Committee

Will be constituted by an order of Internal Complaint Committee (ICC) under Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 preferably headed by a woman member of the organisation.

#	Member Name	Designation
1	Ms. Himanshi Mittal	Company Secretary and head of Internal Complaint Committee (ICC)
2	Mr. Ashok Kumar Dugar	Director
3	Mr. Sushil Kumar Jain	Director

4.3. Responsibilities & Procedure

Complaint Mechanism and Appeal: Any aggrieved employee himself/herself or alternately, as provided under the Act can:

- File a complaint with the Internal Complaints Committee (ICC) within a period of three months from the date of the incident through email, <Email ID> written complaint and or verbal complaint.
- Request the ICC for settlement of the matter through conciliation; provided such request is made before the ICC initiates an inquiry under the Act.

Appeal: Any person aggrieved from the ICC report, may prefer an appeal to the Court as prescribed in the Act within a period of ninety days from the date of the ICC report.

4.4. Responsibilities of the ICC

The ICC shall:

- Investigate every formal written complaint of Sexual Harassment.
- Provide reasonable opportunity to the aggrieved employee and respondent for presenting and defending their respective case before the ICC.
- Initiate appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment and
- Complete its inquiry within ninety days of acceptance of the complaint.

4.5. The ICC Inquiry Process

The ICC will examine every complaint of Sexual Harassment as per the guidelines prescribed under the Act and ensure that a fair and just investigation is undertaken.

4.6. What Action Can the ICC Take

The ICC may, if it deems appropriate recommend the following actions (not exhaustive):

- Written apology;
- Warning, reprimand, censure;
- Termination from service;
- Compensation deduction from the salary or wages of the perpetrator;
- Withholding of promotion, withholding of pay rise or increments;
- Undergoing counseling session or carrying out community service; and/or
- Initiate appropriate statutory or legal action.

4.7. Making False or Malicious Complaints:

Where the ICC arrives at a conclusion that the complaint was made with a malicious intent, the ICC shall take strict disciplinary action against the complainant, which action may be similar to the action taken for committing an act of Sexual Harassment. The ICC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

4.8. Definitions

4.8.1. What Constitutes Sexual Harassment

- Sexual Harassment is any unwelcome and sexually determined act or behavior (whether directly or by implication) as:
 - physical contact and advances; or
 - a demand or request for sexual favors; or
 - making sexually colored remarks; or
 - showing pornography; or
 - any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or
- any of the following circumstances that occur or is present in relation to or connected with any act or behavior of Sexual Harassment (under (i) to (v) herein above):
 - implied or explicit promise of preferential treatment in the employee's employment; or implied or explicit threat of detrimental treatment in the employee's employment; or implied or explicit threat about the employee's present or future employment status; or
 - interference with the employee's work or creating an intimidating or offensive or hostile work environment for the employee; or humiliating treatment likely to affect the employee's health or safety.

4.8.2. What Constitutes as A Workplace

A Workplace includes any Divya Capital One Private Limited office or premises, or any place visited by the Employee arising out of or during the course of employment, such as (including but not limited to): (i) transportation provided by or through Divya Capital One Private Limited for undertaking a journey arising out of or during the course of employment, or (ii) meetings, conferences, seminars, training sessions, workshops, etc. organized by or through Divya Capital One Private Limited.

4.8.3. Who Is an Employee Under The Act

An Employee means a person employed at a Workplace 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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

4.9. References

Reference any other policies, documents or legislation that support the interpretation of this policy.

Divya Capital One Private Limited has the maximum discretion permitted by law to interpret, administer, change, modify or delete this policy at any time, with or without notice. This policy does not form part of any employee's contract of employment unless explicitly stated otherwise in such contract of employment, and this policy has not been adopted to encourage any person to commence or continue employment with the Company. This policy is not intended to restrict communications or actions protected or required by local, state or federal law or a collective bargaining agreement.

4. Special Circumstance and Exception

Any Deviation to this policy has to be approved by HR. Any changes to the policy has to be approved by Legal and Compliance.

5. Non-compliance and Consequence

Any person (including the witness) known to the incident or who has any knowledge about the contents of the complaint shall ensure strict confidentiality. No such information shall be published or communicated in any manner whatsoever, including (but not limited to), publication in Divya Capital One Private Limited Intranet portal or any internal messaging service, through email or any other social media. Divya Capital One Private Limited shall take strict disciplinary action against any person who is found to have breached their duty of confidentiality including imposition of a penalty as prescribed under the Act.
