



MUTHOOT CAPITAL SERVICES LIMITED
(MCSL)

CIN: L67120KL1994PLC007726

**POLICY ON PREVENTION, PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF
WOMEN AT WORKPLACE**

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INTRODUCTION

Muthoot Capital Services Limited (MCSL) promoted by the Muthoot Pappachan Group (MPG) is a Category-A Deposit Taking Non-Banking Financial Company (NBFC) registered with the Reserve Bank of India and listed on the BSE Limited and National Stock Exchange of India Limited.

As enshrined in the Preamble of Constitution of India, “equality of status and opportunity” must be secured for all its citizens regardless of their religion, race, caste, sex, place of birth, etc. MCSL, as a well-regarded Company in the society, is committed to honor the rights of every employees of the Company.

BACKGROUND

In a landmark judgment, *Vishaka vs. State of Rajasthan (1997)*, the Supreme Court of India created legally binding guidelines basing it on the right to equality and dignity accorded under the Indian Constitution as well as by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Supreme Court defined sexual harassment as any unwelcome, sexually determined physical, verbal, or non-verbal conduct.

Having raised the bar of responsibility and accountability in the Vishaka Guidelines, the Supreme Court placed an obligation on workplaces, institutions and those in positions of responsibility, to uphold working women’s fundamental right to equality and dignity at the workplace. Three key obligations were imposed on institutions to meet that standard, namely:

- ❖ Prohibition
- ❖ Prevention
- ❖ Redressal

In 2013, the Government of India notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 to ensure women’s right to workplace equality, free from sexual harassment through compliance with the above mentioned three elements.

DEFINITIONS

Unless, the context otherwise requires the following words shall have the meanings assigned to it:

- a) **“Act”** means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
- b) **“Aggrieved Women”** means in relation to a workplace, a women, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
- c) **“Employer”** means the head of the organization i.e., Managing Director of the Company.

- d) **“Internal Complaints Committee”** means the Committee created in the Company for time-bound redressal of the complaint made by the victim;
- e) **“Sexual harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:
 - (i) Physical contact or advances; or
 - (ii) A demand or request for sexual favours; or
 - (iii) Making sexually coloured remarks; or
 - (iv) Showing pornography; or
 - (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- f) **“Workplace”** includes all offices, branches located anywhere in India including the places visited by the employees arising out of or during the course of employment including transportation provided by the employer for undertaking the journey;

APPLICABILITY

This Policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at the workplace.

All the employees of the Company shall be abide by the Act, Rules and Regulations made thereunder and This Policy of the Company.

COMMITMENT

Our Company is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

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.

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this Policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

INTERNAL COMPLAINTS COMMITTEE (ICC)

An appropriate complaint mechanism in the form of **“Internal Complaints Committee” (ICC)** has been created in the Company for time-bound redressal of the complaint made by the victim.

ICC of the Company shall be constituted as per Section 4 of the Act.

Till further notice, the Committee shall comprise of the following members:

| Sl. No. | Name | Designation | Position in the Committee | Contact Details |
|---------|------------------------------|------------------------------|---------------------------|--|
| 1. | Ms. Priya A. Menon | AVP - Finance & Accounts | Presiding Officer | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: priya.a@muthootcap.com Tel: 0484-6619615 |
| 2. | Ms. L. Nirmala | - | Member (External) | Lilly, 31/1039A, Bhuaneswari Road, Ponnuruni, Vytilla, Cochin - 682019 Email: lilly.nirmala@gmail.com Mob: + 91 99475 61264 |
| 3. | Ms. Mini Suresh | Manager - HR | Member and Convener | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: mini.s@muthootcap.com Tel: 0484-6619606 |
| 4. | Ms. Jalaja Viswanath | Manager - Legal | Member | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: jalajav@muthootcap.com Tel: 0484-6619626 |
| 5. | Mr. Gopalakrishnan J Prakash | Head - HR | Member | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: gopal@muthootcap.com Tel: 0484 6619605 |
| 6. | Mr. Abhijith Jayan | Asst. Company Secretary | Member | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: abhijith.j@muthootcap.com Tel: 0484-6619689 |
| 7. | Mr. Baiju Joseph | Asst. Manager - CSR Projects | Member | Muthoot Capital Services Limited 3 rd Floor, Muthoot Towers M.G Road, Kochi 682 035 Email: baiju.joseph@muthootcap.com Tel: 0484-6619695 |

The Complaints Committee is responsible for:

- ❖ Investigating every formal written complaint of sexual harassment.
- ❖ Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- ❖ Discouraging and preventing employment-related sexual harassment.

PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

When an incident of sexual harassment occurs, the aggrieved women of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the aggrieved women can bring her concern to the attention of the Complaints Committee for redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints to ICC

1. An aggrieved women, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Presiding Officer of the ICC preferably within 30 days from the date of occurrence of the alleged incident. The complaint shall have to be in writing along with supporting documents and name address of witnesses, if any. The employee is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.

The ICC may, for the reasons to be recorded in writing, extend the time limit not exceeding 90 days, if it is satisfied that the circumstances were prevented the employee from filing a complaint within the said period.

- (i) Where the aggrieved women is unable to make a complaint on account of her physical, the complaint may be filed by:
 - a) Her relative or friend;
 - b) Her co-worker;
 - c) An Officer of the National/State Women Commission;
 - d) Any person who has knowledge of the incident, with the written consent of the aggrieved women.
- (ii) Where the aggrieved women is unable to make a complaint on account of her mental incapacity, the complaint may be filed by:
 - a) Her relative or friend;
 - b) A special educator;

- c) A qualified psychiatrist or psychologist;
 - e) A guardian or authority under whose care she is receiving treatment or care;
 - d) Any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist or guardian or authority under whose care she is receiving treatment or care.
- (iii) Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with written consent of her legal heir.
2. The Presiding Officer of the ICC shall determine whether the allegations made in the complaint fall under the purview of sexual harassment and if yes, shall send one copy of the complaint received from the aggrieved woman to the respondent within a period of 7 working days.
- If the allegation does not fall under the purview of sexual harassment or the allegation does not constitute an offence of sexual harassment, the Presiding Officer shall record this finding with reasons and communicate the same to the complainant.
3. The respondent shall file his reply to the complaint along with his list of documents and names and addresses of witnesses within a period of not exceeding 10 working days from the receipt of letter from ICC.
4. The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
5. The ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, by giving a notice in writing, 15 days in advance, to the parties concerned.
6. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
7. Where the ICC arrives at a conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or District Officer, as the case may be, to take any action including:
- a) A written apology;
 - b) Written warning to the perpetrator;
 - c) Reprimand or censure;
 - d) Withholding of promotion or increment in pay;
 - e) Termination;
 - f) Undergoing a counselling session;
 - g) Carrying out community service.
8. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

9. Where the ICC arrives at a conclusion that the allegation against the respondent is malicious or the person making the complaint has made the complaint knowing it to be false or has produced any forged or misleading document, it may recommend to the employer or District Officer to take the disciplinary actions mentioned at point (7) above.
10. **Appeal:** any person aggrieved from the recommendations made by the ICC, may prefer an appeal to the appellate authority as notified under Section 2 (a) of the Industrial Employment (Standing Orders) Act, 1946.

PREPARATION OF ANNUAL REPORT

The Annual Report of the ICC shall be prepared in accordance with the provisions of the Act, which shall include, but not limited to the following:

- 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 for more than 90 days;
- d) Number of workshops or awareness programmes against sexual harassment carried out;
- e) Nature of action taken by the employer or District Officer.

The ICC shall submit the Annual Report to the Management outlined in the Act and it is the responsibility of the Management to ensure that the same is also filed with the District Officer as per the format applicable.

CONFIDENTIALITY

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

ACCESS TO REPORTS AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

PROTECTION TO COMPLAINANT/VICTIM

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the protection will be subject to disciplinary action.

DUTIES OF THE EMPLOYER

1. Provide a safe working environment at the workplace which shall include safety from persons coming into contact at the workplace.
2. Direct the HR Department to ensure the display at any conspicuous place in the workplace, the constitution of ICC and the penal consequences of sexual harassments.
3. Organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the Members of the ICC.
4. Provide necessary arrangements and facilities to the ICC for dealing with the complaint and conducting an inquiry.
5. Assist in securing the attendance of respondent and witnesses before the ICC.
6. Provide assistance to the aggrieved women and cause to initiate action, if she chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
7. Treat sexual harassment as a misconduct under the service rules and initiate action for misconduct.
8. Monitor the timely submission of reports by the ICC.

CONCLUSION

In conclusion, the Company reiterates its commitment to provide its employees, a workplace free from harassment/discrimination where every employee is treated with dignity and respect.

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