

VERSION CONTROL

Version Control No.	Author	Date Created / updated	Date Published	Date Effective	Version Description	Signature of Director/ Department Head
V.1	Ms. Shraddha Dalvi	25/07/2017	03/08/2017	02/08/2017		
V.2	Mr. Mandar Godbole	22/05/2018			A few modifications added to the Policy, basis the Internal Auditors' recommendations	
V.3	Mr. Mandar Godbole	05/11/2019			Few modifications due to change in the composition of the Committee	

1. INTRODUCTION

The term 'Company' used in this Policy means Niyogin Fintech Limited and its subsidiaries, from time to time.

Consistent with our core values, the Company is committed to create an environment in which all individuals are treated with respect and dignity. The objective is to promote a gender sensitive safe work environment.

Under no circumstances, the Company will 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.

The Company has a policy on prevention of sexual harassment at the workplace which is named as "**CARE AND DIGNITY POLICY**", since its early days and every employee has the right to be protected against harassment. The Policy incorporates the provisions of recent legislation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("parent Act") and Rules made thereunder.

The purpose of this Policy is not to outline every example of sexual harassment that is inconsistent with a work environment that promotes respect and dignity but to provide broad guidelines. Employees are expected to at all times to exercise sound judgment.

This specific policy combats sexual harassment of employees in the workplace and comes into force with immediate effect.

The provisions of this Policy are in addition to the provisions of any other law for the time being in force.

2. SCOPE OF THE POLICY

Men and women can both experience sexual harassment. Women may be sexually harassed by men or vice versa. Same gender harassment (male to male or female to female) can also occur.

In lines of the above, this policy shall be respected by all and unlike the parent Act, it will be binding upon all employees, whether men or women. The ambit of this policy not only includes regular or permanent employees but also personnel appointed on temporary or ad hoc basis; contract workers; probationers; trainees; apprentices or called by any other such name; persons employed in the workplace directly or through an agent or contractor, whether the terms of employment are expressed or implied.

Sexual harassment will be unacceptable at workplace or during any work-related activities whether in or outside the workplace including any place visited by an employee arising out of or during the course of employment including transportation provided by the Company for undertaking a journey for business trips, business meetings and business related social events.

If an employee of the Company is harassed by an act of a third party or outsider while on official duty, all necessary and reasonable steps shall be taken to assist the affected person or to initiate action under this policy or other applicable laws.

3. COMPOSITION OF THE POLICY

Name of person	Designation
Ms. Suchismita Bose	External Member – (Clinical Psychologist & Founder of Mind & Me)
Ms. Sutapa Banerjee	Member - Independent Director
Mr. Runit Dugar	Internal Member
Ms. Namrata Hande	Internal Member

4. QUORUM:

The quorum for the Internal Complaints Committee Meeting, in case of any complaint made is 2 (Two) members, with compulsory presence by the external member.

5. FILING OF ANNUAL RETURN:

The Company shall, on an annual basis file an Annual Return with the District Officer where the registered office of the Company is situated. The company shall provide information like the number of complaints received during the year, number of complaints disposed, programmes held by the Company to create awareness about the policy and the employees' rights & obligations, etc.

6. DEFINITIONS

Sexual Harassment

For purposes of this Policy one or more of the following unwelcome acts and behavior (whether directly or by implication) shall constitute sexual harassment:

- (a) physical contact and advances; or
- (b) a demand or request for sexual favours; or
- (c) making sexually coloured remarks; or
- (d) showing pornography; or

- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature such as loaded comments, remarks or jokes, letters, phone calls, sms, emails or stalking, sexual demands whether by words, gestures or actions.

Following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- (a) implied or explicit promise of preferential treatment in an individual's employment; or
- (b) implied or explicit threat of detrimental treatment in an individual's employment; or
- (c) implied or explicit threat about individual's present or future employment status; or
- (d) interference with individual's work or creating an intimidating or offensive or hostile work environment; or
- (e) humiliating treatment likely to affect individual's health or safety.

Employee

It refers to a person employed:

- (a) at the Company for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent;
- (b) as a contractor, with or, without the knowledge of the principal employer;
- (c) whether for remuneration or not, or working on a voluntary basis or otherwise;
- (d) whether the terms of employment are express or implied;
- (e) and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

7. ESTABLISHMENT OF COMPLAINT REDRESSAL MECHANISIM

An Internal Complaints Committee (ICC), as may be constituted or re-constituted by the Board of Directors, to which complaints may be filed by an aggrieved employee, no matter where such employee is located.

The Presiding Officer and every member of the committee shall hold office for period not exceeding 3 years from the date of their nomination. The retiring members may be reappointed at the sole discretion of the Company.

8. COMPLAINT PROCEDURE

8.1. Who can make complaint?

- (i) Aggrieved employee;
- (ii) Where an aggrieved employee is unable to make the complaint on account of physical incapacity, complaint may be filed by:

- (a) Aggrieved employee's relative or friend; or
 - (b) Aggrieved employee's co-worker; or
 - (c) An officer of the National Commission for Women or State Women's Commission; or
 - (d) Any person who has knowledge of the incident with the written consent of the aggrieved employee.
- (iii) Where an aggrieved employee is unable to make the complaint on account of mental incapacity, a complaint may be filed by:
- (a) Aggrieved employee's relative or friend; or
 - (b) A special educator, who is a person trained in communication with people with special needs in a way that addresses their individual differences and needs; or
 - (c) A qualified psychiatrist or psychologist; or
 - (d) The guardian or authority under whose care the aggrieved employee is receiving treatment or care; or
 - (e) Any person who has knowledge of the incident jointly with any one of the abovementioned person(s).
- (iv) Where an aggrieved employee for any other reason is unable to make the complaint, it may be filed by any person who has knowledge of the incident with the written consent of the aggrieved person.

Where an aggrieved employee is dead, a complaint may be filed by aggrieved employee's legal heir or any person who has knowledge of the incident with the written consent of aggrieved employee's legal heir.

8.2. Reporting of incident of sexual harassment

Niyogin strongly urges the reporting of all incidents of sexual harassment regardless of offenders identity or position. The aggrieved person shall follow the complaint procedure outlined below:

- (i) The complaint shall be made by email to niyogin.compliance@niyogin.in or be sent in writing to the Presiding Officer, Internal Complaint Committee, Niyogin Fintech Limited, Neelkanth Corporate IT Park, 311/312, 3rd Floor, Kiroli Road, Vidyavihar (W), Mumbai – 400086.
- (ii) The complaint shall be made in writing, in six copies, to the ICC, alongwith supporting documents and name and address of the witnesses, if any.
- (iii) In case if the complaint cannot be made in writing, the Presiding officer or member of the ICC shall render all reasonable assistance to the complainant for making the complaint in writing.

- (iv) The complaint shall be made within a period of three months from the date of the incident and in case of a series of incidents, within a period of three months from the date of last incident.
- (v) For reasons to be recorded in writing, the ICC may extend the time limit not exceeding three months, if it is satisfied that the circumstances were such that prevented the employee from filing a complaint.

8.3. What shall the ICC do on receipt of complaint?

Within seven (7) working days of the receipt of the complaint the ICC shall send one copy to the respondent.

The respondent shall within the period not exceeding ten working days from the date of receipt of the copy of the complaint reply to the complaint along with the respondent's list of documents and name and address of the witnesses.

The parties shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the ICC.

9. INQUIRY INTO COMPLAINT

9.1. Conciliation:

- (i) The ICC may, before initiating an inquiry, and at the request of the complainant take steps to settle the matter through conciliation. Provided that no monetary settlement shall be made a basis of conciliation.
- (ii) Where a settlement has been arrived, the ICC shall record the settlement so arrived, provide the copies of the settlement to the complainant and the respondent and forward the same to Management Committee to take action as specified in their recommendation.
- (iii) Where a settlement is arrived, no further inquiry shall be conducted by the ICC.
- (iv) If the complainant informs the ICC that any term or condition of settlement arrived has not been complied with by the respondent, the ICC shall proceed to make an inquiry into the complaint.

9.2. Inquiry:

- (i) If conciliation is not preferred by the complainant, the ICC shall conduct inquiry if the respondent is an employee.

- (ii) In conducting the inquiry, a minimum of three members including the Presiding Officer shall be present.
- (iii) The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
- (iv) Where both the parties are employees of Niyogin, both the parties shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representations against the findings before the ICC.
- (v) The ICC shall have the right to terminate the inquiry proceedings or to give ex-parte decision on the complaint, if the complainant or the respondent fails without any sufficient cause to attend three consecutive hearings convened by the ICC.
- (vi) Such termination or ex-parte order may not be provided without giving a notice in writing, fifteen days in advance, to the party concerned.
- (vii) The inquiry shall be completed within the period of ninety days or receipt of complaint.

10. RELIEF TO THE COMPLAINANT DURING PENDENCY OF INQUIRY

At the written request of the complainant, the ICC may recommend the Management Committee to:

- (i) Transfer the complainant or the respondent to any other workplace; or
- (ii) Grant leave to the complainant upto a period of three months. The leave granted to the complainant shall be in addition to the leave he/she would be otherwise entitled; or
- (iii) Restrain the respondent from reporting on the work performance of the complainant or writing the complainant's confidential report and assigning the same to another officer.

The Management Committee shall implement the recommendations so made by the ICC and send the report of such implementation to the ICC.

11. WHAT SHOULD THE ICC DO ON COMPLETION OF INQUIRY?

On completion of the inquiry, the ICC shall provide a report of its findings to the Management Committee within a period of ten days from the date of completion of inquiry and this report shall be made available to the concerned parties.

11.1. If allegations are not proved

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

11.2. If allegations are proved

Where the ICC arrives at the conclusion that the allegation of sexual harassment against the respondent has been proved, it shall recommend to the Management Committee

- (i) to take such actions as the ICC deems fit including written apology, warning, reprimand or censure, withholding of promotion, withholding of any pay rise or increments, terminating the respondent from the service or undergoing a counseling session or carrying out community service.
- (ii) to deduct, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved employee or his/ her legal heirs, as it may determine.

In case the Management Committee is unable to make such deduction from the salary of the respondent due to his/her being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved employee.

In case the respondent fails to pay such compensation sum the ICC may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

The Management Committee shall act upon the recommendation within sixty days of its receipt from the ICC.

11.3. Complaints made with false or malicious intent:

If the ICC comes to the conclusion after an inquiry that any allegation/complaint against the respondent is malicious or was made knowing to be false or forged or misleading documents were provided, the ICC shall recommend action to the Management Committee, against the complainant and/or the witness as the case may be, as mentioned above in Clause 8.2.

A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this Clause.

12. RETALIATION FOR SEXUAL HARASSMENT COMPLAINTS

The Management Committee shall safeguard the complainant and witnesses from any form of retaliatory measures.

Strict disciplinary action will be recommended by ICC if it is established that the complainant or the witnesses were subject to retaliation in any form.

13. CONFIDENTIALITY

Subject to applicable laws, procedures and requirements, the contents of the complaint, the identity and addresses of the aggrieved employee, the respondent and the witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken by the Management Committee SHALL NOT be published, communicated or made known to the public, press and media in any manner.

However, information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved employee and witnesses.

Any person who breaches confidentiality in this regard shall be liable for penalty as per applicable laws.

The ICC shall in each calendar year prepare and submit to the Management Committee and such other prescribed authority an annual report inter alia giving number of complaints filed before the ICC, complaints disposed, complaints pending, action taken etc.

14. APPEAL

Any person aggrieved with any of the recommendation of the ICC or non-implementation of such recommendation or breach of confidentiality may prefer an appeal, to the court or tribunal as per applicable laws, within 90 days from the date of receipt of the recommendation.

15. DISSEMINATION OF THE POLICY

A copy of this Policy shall be given to all employees and to all new recruits and they shall sign a statement acknowledging that they have received, read and understood the Policy.

16. MISCELLANEOUS

The Company shall:

- (i) display at any conspicuous place in the workplace, the penal consequences of sexual harassments and the details of constitution of the ICC.
- (ii) organise workshops and awareness programmes at regular intervals for employees and orientation programmes and seminars for members of the ICC.
- (iii) provide necessary facilities and information to the ICC for dealing with the complaint and conducting an inquiry.
- (iv) assist in securing the attendance of the respondent and the witnesses before the ICC.
- (v) provide assistance to the aggrieved employee if he/ she so chooses to file a complaint in relation to the offence under the applicable law.
- (vi) cause to initiate action, under the applicable law, against the perpetrator, or if the aggrieved employee so desires, where the perpetrator is not an employee.
- (vii) monitor the timely submission of reports by the ICC.

ANNEXURE-SUMMARY OF TIMELINES

Sr. No	ACTION POINT	AUTHORITY / CONCERNED PERSON	TIME LIMIT
1	Complaint	Complaint to be lodged before ICC by the aggrieved person or such other person as detailed in Clause 4.2 of the Policy	1) Within a period of 3 months from the date of the incident, or 2) In case of series of incidents, within the period of 3 months from the date of last incident.
2	Initiation of inquiry proceedings	By the ICC, by sending the copy of complaint to the Respondent	Within the period of 7 working days of receipt of the complaint.
3	Reply by the respondent along with his list of documents, names and addresses of witnesses	By the respondent to ICC	Within 10 working days from the day of receipt of the copy of complaint forwarded by ICC.
4	Completion of inquiry proceedings	By ICC	Within 90 days from the date of receipt of complaint.
5	Submission of inquiry report and findings along with recommendations by ICC	By ICC to the Management Committee	Within 10 days of completion of inquiry proceedings by ICC.
6	Implementation of recommendations made in inquiry report of ICC	By the Management Committee	Within 60 days of the receipt of the recommendations made in the inquiry report by ICC.
7	Appeal	By any person aggrieved with any of the recommendation of the ICC or non-implementation of such recommendation or breach of confidentiality	Within a period of 90 days of recommendations by ICC.

Employee Acknowledgement:

By signing below, I acknowledge that I have received, read, understood, and agree to abide by the provisions set forth in the Care and Dignity Policy of Niyogin Fintech Limited formed for prevention/ redressal of sexual harassment at workplace.

I am aware of the constitution of the Internal Complaints Committee (ICC) in Niyogin Fintech Limited.

Signature

Date

Name of the Employee: _____

Designation: _____

Department : _____

Employee Code : _____