



PRAYAAN CAPITAL

PREVENTION OF SEXUAL HARRASMENT POLICY **(POSH POLICY)**

Framed pursuant to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



CONTENTS

I. OBJECTIVE.....	3
II. APPLICABILITY.....	3
III. DEFINITIONS	3
IV. GUIDELINES	5
V. INTERNAL COMPLAINTS COMMITTEE	6
VI. GRIEVANCE REDRESSAL MECHANISM	6
VII. CONCILIATION AND INQUIRY	9
VIII. INTERIM RELIEF.....	10
IX. ACTION TO BE TAKEN	11
X. CONFIDENTIALITY	12
XI. APPEAL.....	12
XII. DOCUMENTATION.....	12
XIII. PROTECTION TO COMPLAINANT	12
XIV. AWARENESS AND GENDER SENSITISATION PROGRAMS.....	13
XV. SUBMISSION OF REPORTS.....	13
XVI. MISCELLANEOUS.....	13
XVII. RESPONSIBILITIES OF THE BOARD.....	13
XVIII. CONCLUSION.....	15
Annexure A.....	16
Document Modification Details	17



I. OBJECTIVE

The objective of this prevention of sexual harassment policy (the "**Policy**") is to provide effective redressal mechanism for complaints on sexual harassment at workplace and matters incidental thereto and to outline procedures for filing complaints, investigating sexual harassment claims and employing appropriate disciplinary measures in case of violations. Prayaan Capital Private Limited (the "**Company**") is committed to providing a working environment free of all forms of discrimination and harassment, including sexual harassment.

All concerned should take cognizance of the fact that the Company strongly opposes harassment in any form including sexual harassment, and that such behavior against women is not only prohibited under applicable law in India as set out in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "**Act**") and rules framed thereunder being the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (the "**Rules**") but also under the terms of employment. Commission of any act of sexual harassment shall result in strict disciplinary action as set out under this Policy or otherwise.

This Policy has been adopted and implemented by the Company from 1st August, 2019 ("**Effective Date**") and is deemed to be incorporated in the service conditions/rules of all the employees, wherever applicable. While the Policy covers all the key aspects of the Act, in the event of any conflict between the Policy and the Act, the Act shall prevail.

II. APPLICABILITY

The Company's Policy with regard to prevention, prohibition and redressal of Sexual Harassment (*as defined herein under*) and covers shall cover all Employees and Relevant Persons, including individuals visiting the Workplace (*as defined herein under*) in any capacity and for any purpose whatsoever. The Company encourages every Employee and Relevant Person who believes they are sexually harassed to use the redressal mechanism as provided for in this Policy.

III. DEFINITIONS

- a. "**Aggrieved Person**" in relation to the Workplace, means a person whether an Employee or a Relevant Person, who alleges to have been subject to any act of Sexual Harassment by the Respondent (*as defined herein below*) and who makes a written complaint alleging Sexual

Harassment under this Policy (either directly or indirectly as set out under Section VI of this Policy) and shall include any person(s) authorized on their behalf under this Policy, if applicable;

- b. **“Board”** means the Board of Directors of the Company, as constituted from time to time;
- c. **“Employee”** means a person employed at a Workplace for any work on regular, temporary, *ad hoc* or daily wages 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;
- d. **“Internal Complaints Committee”** or **“ICC”** means a committee constituted by the Company under Section V of this Policy, and pursuant to Section 4 of the Act.
- e. **“Local Committee”** shall have the meaning ascribed to it under the Act;
- f. **“Party/Parties”** shall mean the Aggrieved Person and/or the Respondent;
- g. **“Relevant Persons”** includes clients, potential clients, consultants, interns, job applicants, guests, business associates and any person visiting the Workplace in the course of their business/employment;
- h. **“Respondent”** means a person against whom the Aggrieved Person has made a complaint;
- i. **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - i. physical contact and advances; or
 - ii. demand(s) or request(s) for sexual favors; or
 - iii. making sexually colored remarks; or
 - iv. showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
 - v. any indecent behavior such as cat-calling, wolf/finger whistling, making vulgar/indecent jokes, letters, phone calls, text messages, e-mails, gestures et cetera; and
 - vi. any other unwelcome physical, verbal or non-verbal conduct of sexual nature including but not limited to (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) interference with work or creating an intimidating or offensive or hostile work environment;
- (e) humiliating treatment likely to affect their health or safety.

In addition to the instances mentioned above, any other acts or behavior, which outrages the modesty of an Employee or Relevant Person, will be considered as Sexual Harassment for enabling such Aggrieved Person to file a complaint under this Policy;

- j. **“Workplace”** means the premises of the Company, and includes any department, establishment, office or branch unit and any place visited by the Employee in relation to their employment/services as authorized by the Company.

IV. GUIDELINES

The following examples illustrate what can be considered as Sexual Harassment. However, the following examples do not limit the scope of the definition.

1. Subjecting a person to an unwelcome act of physical intimacy, like grabbing, brushing or touching.
2. Making an unwelcome demand or request (whether directly or by implication) for sexual favors from a person or making the grant of sexual favors a condition for offering employment/retention or for grant/payment of wages / salaries / stipends / increment / promotion, etc.
3. Making unwelcome remarks with sexual connotations, like sexually explicit compliments / cracking jokes with sexual connotations / making sexist remarks.
4. Showing a person any sexually explicit material in the form of pictures / cartoons / pinups / calendars / screen savers / any offensive written material/pornographic e-mails, etc.
5. Engaging in any other unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring at a person to make them uncomfortable.
6. Making offensive gestures or sounds with sexual connotations.
7. Making unwelcome inquiries into the private relationships of a person.
8. Persistently making any romantic/sexual proposals to any person.
9. Joking about sexual conduct in an attempt to humiliate or embarrass another person.

V. INTERNAL COMPLAINTS COMMITTEE

Every complaint shall be made, in writing, to the Internal Complaints Committee, formed under the Policy, for redressal. The Internal Complaints Committee constituted for this purpose shall investigate into such complaint.

1. **Constitution of the ICC:**

The ICC shall be constituted as per the following composition and members, nominated by the Board:

- a. a woman employee, employed at a senior level amongst the employees, who shall act as the presiding officer of the ICC ("**Presiding Officer**");
- b. at least 2 (two) members from amongst employees of the Company, preferably committed to the cause of women or who have had experience in social work or have legal knowledge; and
- c. 1 (one) member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The names and composition of the members of the Internal Complaints Committee is as per "**Annexure A**" of this Policy and any change in such names or composition shall be effected in the Policy promptly on occurrence of such change. At least half the total members of the ICC are to be women at all time.

2. **Tenure and Quorum of ICC:**

The Presiding Officer and the members of the ICC shall hold office for a maximum period of 3 (three) years from the respective date of their nomination. A quorum of 3 (three) members including the Presiding Officer is required to preside over all ICC proceedings and to conduct any inquiry pursuant to Section VII of this Policy. In case of any vacancy arising due to any reason, the Board shall immediately fill the vacancy by nominating another person as per the provisions of the Act and this Section V of the Policy.

VI. GRIEVANCE REDRESSAL MECHANISM



1. Any Aggrieved Person may make, in writing, a complaint of Sexual Harassment at Workplace to the ICC giving details of such Sexual Harassment meted out to her within a period of 3 (three) months from the date of incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident, which may be extended for a further period of 3 (three) months, if circumstances warrant for such extension in the opinion of the Internal Complaints Committee, for reasons to be recorded in writing.
2. Any complaint of Sexual Harassment at Workplace may be admitted by the ICC beyond the period of 6 (six) months from the date of incident/date of last incident, in case of series of incidents as stipulated in Section VI (1) above, if sufficient reasons are tendered in writing by the Aggrieved Person, and the ICC is of the opinion that such complaint must be admitted.
3. The Presiding Officer or any member of the Internal Complaints Committee shall render reasonable assistance to the Aggrieved Person for making such complaint in writing, in case they are unable to do so.
4. Where an Aggrieved Person is unable to make a complaint on account of their physical or mental incapacity, death or disability, such complaint may be made in accordance with the following:
 - a. where the Aggrieved Person is unable to make a complaint on account of her physical incapacity, a complaint may be filed by –
 - (i) her relative or friend; or
 - (ii) her co-worker; or
 - (iii) an officer of the National Commission for Women or State Women's Commission; or
 - (iv) any person who has knowledge of the incident, with the written consent of the Aggrieved Person.
 - b. where the Aggrieved Person is unable to make a complaint on account of her mental incapacity, a complaint may be filed by-
 - (i) her relative or friend; or

- (ii) a special educator; or
 - (iii) a qualified psychiatrist or psychologist; or
 - (iv) the guardian or authority under whose care she is receiving treatment or care; or
 - (v) 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.
- c. where the Aggrieved Person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with the Aggrieved Person's written consent.
- d. where the Aggrieved Person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.
5. The Aggrieved Person shall make a complaint to the Internal Complaints Committee in the following manner:
- a. The Aggrieved Person shall submit 6 (six) copies of the written complaint along with supporting documents and names and addresses of witnesses, if any, shall be sent to the Internal Complaints Committee.
 - b. On receipt of such complaint from the Aggrieved Person, the Internal Complaints Committee shall provide a copy of such complaint along with all the supporting documents and details of witnesses if any, for such complaint, to the Respondent within 7 (seven) working days.
 - c. On receipt of such complaint from the ICC, the Respondent shall file a reply within 10 (ten) working days from the date of receipt, along with a list of supporting documents, names and addresses of witnesses, if any.
 - d. The Internal Complaints Committee shall then investigate in detail, into the matter of the complaint.
6. If the initial complaint is made to a person other than an ICC member, then upon receiving such complaint, it will be the responsibility of such person to report the same to the ICC immediately. The Policy is aimed at ensuring that all the complaints of Sexual Harassment are dealt with speedily, discreetly and as closely as possible to the point of origin.

7. All complaints of Sexual Harassment shall be addressed and dealt with in a confidential manner in accordance with Section X of the Policy and the Internal Complaints Committee shall at all times, follow principles of natural justice while handling such complaints.

VII. CONCILIATION AND INQUIRY

1. The Internal Complaints Committee on receipt of such written complaint, may require the Aggrieved Person, to furnish additional information about the alleged Sexual Harassment.
2. The Internal Complaints Committee may before initiating an inquiry, and at the Aggrieved Person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
 - a. No monetary settlement shall be made as a basis of conciliation; and
 - b. Where a settlement has been arrived, the settlement terms shall be signed by both the Parties who shall be provided with a copy of such settlement agreement.
3. Where a settlement is arrived as mentioned in Section VII(2) of the Policy, the ICC shall record the terms of such settlement in writing and all documents pertaining to the settlement shall be promptly forwarded to the Board. No further inquiry shall be conducted by the Internal Complaints Committee if a settlement is arrived in accordance with Section VII(2) and (3) of the Policy.
4. In case where a settlement is not feasible or could not be arrived at through conciliation, or if the Aggrieved Person informs the ICC and the ICC is satisfied that all or any of the terms of settlement is not being complied with, by the Respondent, the ICC shall conduct an inquiry into the complaint.
5. On the commencement of the inquiry, the Internal Complaints Committee shall have the right to call the Respondent or any other witnesses as and when necessary.
 - a. During the inquiry process, the Aggrieved Person and the Respondent shall refrain from any form of threat, intimidation or influencing of witnesses.

- b. The ICC shall conduct the inquiry in accordance with the principles of natural justice and shall ensure to give both Parties, a right to be heard and present their case before the ICC.
- c. The ICC shall ensure confidentiality during the inquiry process in accordance with Section X of the Policy and shall ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- d. The Internal Complaints Committee may, during such investigation, exercise the power of a civil court, vested in it, in respect of summoning and enforcing the attendance of any person and examining him under oath, requiring discovery and production of documents, and any other prescribed matter under the Act.
- e. The ICC shall have the right to terminate the inquiry or give *ex-parte* decision on the complaint, if the Respondent or the Aggrieved Person remains absent for 3 (three) consecutive hearings, without sufficient cause, provided that such termination or *ex-parte* order shall not be passed without giving a notice in writing, 15 (fifteen) days in advance, to the Party concerned.
- f. The Parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
- g. For conducting the inquiry, the quorum of the Internal Complaints Committee must be in accordance with Section V(2) of this Policy.
- h. The ICC must complete its inquiry within a period of 90 (ninety) days from the date of receipt of the complaint.

VIII. **INTERIM RELIEF**

During any stage of the proceedings, upon written request by the Aggrieved Person, the ICC may at its discretion, recommend to the Board:

- a. to transfer the Aggrieved Person or the Respondent to any other Workplace;
- b. grant leave to the Aggrieved Person of up to 3 (three) months, in addition to the leave to which she is otherwise entitled;
- c. restrain the Respondent from reporting on the work performance of or supervising the Aggrieved Person, and assign the same to another appropriate employee of the Company.

Provided, the Aggrieved Person tenders a justified reason for such transfer or leave, such as threat to work in the Workplace. The decision of the ICC in this regard shall be implemented by the Board.

IX. **ACTION TO BE TAKEN**

1. The ICC shall, upon completion of the inquiry provide a report of its findings to the Board, within 10 (ten) days from the date of completion of the inquiry and such report shall be made available to the concerned Parties ("**ICC Report**").
2. If the allegation against the Respondent has not been proved, the ICC in its ICC Report, may recommend to the Board that no action needs to be taken in the complaint.
3. However, if the Internal Complaints Committee arrives at the conclusion that the allegation against the Respondent has been proved, or if such complaint is proved to be false or malicious (provided that mere inability to substantiate a complaint or provide adequate proof need not mean that the complaint is false or malicious), it shall, in its ICC Report, recommend to take action for Sexual Harassment or a false/frivolous complaint of Sexual Harassment as a misconduct, and recommend that any of the following actions be taken by the Board against the concerned Party:
 - a. compulsory counseling;
 - b. censuring or reprimanding;
 - c. placing on record such misconduct on the concerned Party's employment files;
 - d. community service;
 - e. ordering that an apology be tendered to the other Party;
 - f. issuing a written warning;
 - g. withholding promotion and/or increments;
 - h. to deduct, notwithstanding anything in the "service rules" applicable to the concerned Party, from the salary, wages, bonus or any sum payable to such concerned Party, in relation to his/her employment;
 - i. Workplace transfer order;
 - j. suspension;
 - k. termination; and/or
 - l. any other action that the Board may deem fit.



4. The Board shall take any action pursuant to Section IX(3) within 60 (sixty) days from the receipt of the ICC Report.

X. **CONFIDENTIALITY**

The Sexual Harassment complaint, the identity of the Aggrieved Person, Respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the ICC and the action taken by the Board is considered confidential, and shall not published or made known to public or media. Any person contravening the confidentiality obligations under this Section X of this Policy shall be subject to strict disciplinary action as prescribed under the Act.

XI. **APPEAL**

Any person aggrieved from the recommendations made by the ICC or from the implementation/non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the service rules applicable to them, or where no such rules exist, such appeal must be made in accordance with and without prejudice to the Act.

Such appeal must be preferred within 90 (ninety) days of the recommendations were officially made available to the Parties by the ICC.

XII. **DOCUMENTATION**

The ICC shall keep complete and accurate documentation of the complaint, its investigation, inquiry proceedings and the resolution thereof. The incident would be documented in both the Aggrieved Person's and the Respondent's files with the full report of the ICC, subject to the obligations of confidentiality under the Act and Section X of the Policy. All documents, complaints, including contents of meetings, results of inquiry and other relevant materials must be kept confidential by the Company except when disclosure is required while carrying out certain disciplinary process or other remedial processes, pursuant to Section IX of the Policy.

XIII. **PROTECTION TO COMPLAINANT**

The Company is committed to ensuring that no person who brings forward a Sexual Harassment concern is subject to any form of reprisal. Any reprisal will be subject to strict disciplinary action. The Company shall ensure that the victim or witnesses are not further victimized or discriminated against

while dealing with complaints of Sexual Harassment. However, anyone who abuses the procedure will be subject to applicable disciplinary action.

XIV. **AWARENESS AND GENDER SENSITISATION PROGRAMS**

The Board shall be responsible for training the ICC and creating awareness and sensitizing the Employees, Relevant Persons, staff, and management team members/managers through regular training sessions, and capacity and skill building programs on issues relating to Sexual Harassment. All Employees and Relevant Persons shall cooperate and attend the said training programs and awareness sessions and follow the Policy in letter and spirit. The Company shall display the notice showing the name and contact details of the ICC members at a conspicuous place at the Workplace, wherever possible.

XV. **SUBMISSION OF REPORTS**

The Board shall be responsible for timely submission of reports to the Government of India and shall adhere to the timelines set out in the Policy. The Board shall also be responsible for monitoring and conducting regular meetings with the ICC to ensure that the Policy is fully implemented. The Internal Complaints Committee shall prepare an annual report with the following details and shall submit the same to the Board:

- a. number of complaints of Sexual Harassment complaints received during the year;
- b. number of complaints disposed of during the year;
- c. number of cases pending for more than 90 (ninety) days;
- d. number of workshops or awareness program conducted for the Employees and Relevant Persons; and
- e. nature of actions taken by the Internal Complaints Committee and the Board.

XVI. **MISCELLANEOUS**

The Board may make any alteration or amendment or rescind any of the Sections of this Policy as and when it finds it necessary to do so, as long as it complies with the Act. Any such alterations or amendment or rescission must be intimated to the Employees at the earliest, and must be displayed at the notice board (physical and virtual) of the Company.

XVII. **RESPONSIBILITIES OF THE BOARD**



All members of the Board must ensure that nobody is subjected to Sexual Harassment at Workplace. They must also ensure that all Employees and Relevant Persons understand that any form of Sexual Harassment at Workplace will not be tolerated, that the complaints will be taken seriously and that the Aggrieved Person(s), Respondent(s) and witness(es) must not be victimized in any way. If an Employee or Relevant Person brings an instance of Sexual Harassment to the notice of her reporting manager or any member of the Board, then the latter must let the ICC know about the matter at the earliest, who must promptly then approach the Aggrieved Person and take it forward from there.

The Company shall:-

- a. provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace;
- b. display at any conspicuous place in the Workplace, the penal consequences of Sexual Harassment and the order constituting the Internal Complaints Committee;
- c. organise workshops and awareness programmes at regular intervals for sensitising the Employees and Relevant Persons with the provisions of the Act and orientation programmes for the members of the ICC in the manner as may be prescribed;
- d. provide necessary facilities to the ICC or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- e. assist in securing the attendance of Respondent and witnesses before the ICC or the Local Committee, as the case may be;
- f. make available such information to the ICC or the Local Committee, as the case may be, as it may require having regard to the complaint;
- g. provide assistance to any Employee or Relevant Person if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- h. cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the Aggrieved Person so desires, where the perpetrator is not an Employee, in the workplace at which the incident of Sexual Harassment took place;
- i. treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct; and
- j. monitor the timely submission of reports by the ICC.

XVIII. **CONCLUSION**

In conclusion, the Company reiterates its commitment to providing its Employees and Relevant Persons, a Workplace free from any harassment/ discrimination and governing itself with ethics, transparency and accountability. This Policy is formulated in acknowledgement of and in consonance with these values, that the Company espouses and accordingly aims that the work environment at the Workplace is conducive, fair, safe and harmonious.



Annexure A

1. Tharasree Amarnath – Chief Technology Officer – Chairperson of ICC
2. Akash S Chelvam – Whole-time Director & COO
3. Sujatha Madhan Mohan – Head-Collections
4. Poongkhulali B. – Advocate, External Member



Document Modification Details

Version	Month of Modification	Reviewed by	Approved by	Reason for Modification
V1.0	June 2019	Akash S Chelvam- COO	G. Madhan Mohan - MD & CEO	Creation
V2.0	December 2019	Akash S Chelvam- COO	G. Madhan Mohan - MD & CEO	Addition of name of External Member in Annexure A
V3.0	May 2020	Subashree-CS	G. Madhan Mohan - MD & CEO	Addition of Member in the Committee
V3.1	17-May-2023	Sindhuja AM - CS	Board of Directors in the meeting held on 17-May-2023	Addition of Sindhuja AM and resignation of Subashree in the Committee
V3.2	10-Nov-2023	Sindhuja AM - CS	Board of Directors in the meeting held on 10-Nov-2023	Resignation of Mr. Avijeet from the Committee
V3.3	20-Dec-2024	Sindhuja AM - CS	Board of Directors in the meeting held on 16-Dec-2024	Resignation of Sindhuja from the Committee and inclusion of Sujatha

