

SATYA MICROCAPITAL LIMITED

Policy on Prevention of Sexual Harassment

Version 1.2

November 2023

Prevention of Sexual Harassment

1. Introduction

SATYA MicroCapital mission is to provide financial solutions and training, empowering people living in poverty to transform their lives, their children's futures, and their communities. Its vision is a world in which all people have the opportunity to achieve a life free from poverty, with dignity and purpose. SATYA MicroCapital Limited respects and promotes the rights of all people to live free from discrimination and harassment.

2. Commitment

SATYA MicroCapital is committed to providing a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Company is committed to providing equal opportunity to all its employees irrespective of their gender, religion, caste, origin, sexual orientation or any other consideration except merit. 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 sexual harassment. This policy is a step towards that commitment and the policy complies with the requirements of the Companies Act, 2013 and provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act). While the POSH Act, under its strict meaning is meant for protection of women at the workplace, this policy covers both women and men.

3. Scope

The POSH policy of Satya covers personnel at the workplace. Personnel and workplace are defined below.

Personnel

This policy applies to all the following personnel, irrespective of their gender

- Directors of the company
- Permanent employees
- Temporary employees
- Trainees, Apprentices and Probationers
- Interns and volunteers
- Associate consultants and contracted employees or vendors
- Contract labourers and
- Clients

Effectively, this policy extends and is applicable to all individuals who are employed in the

company, either engaged in permanent, contractual or temporary capacity, whether in office premises or other workplace as defined hereunder.

Workplace

The workplace includes:

- All offices or other premises where the Company's business is conducted, including places where center meetings are conducted
- All premises where company-related activities are performed at any ~~other~~ site away from the Company's premises.
- Any premises where company related social, business or other functions are organized, where the conduct or comments which are the subject matter of complaint being handled under this policy, may have an adverse impact on the workplace or workplace relations

4. 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 proper and healthy work environment.

5. Definitions

"**Act**" means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013;"

"**Aggrieved person**" means- in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;

"**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

"**Employer**" means –

- (i) any person responsible for the management, supervision and control of the workplace.
Explanation. – For the purposes of this sub-clause "management" includes the person or board or committee responsible for formulation and administration of policies for such organisation;
- (ii) the person discharging contractual obligations with respect to his or her employees.

"**Internal Committee**" means an Internal Complaints Committee constituted under section 4 of the Act;

"**Respondent**" means a person against whom the aggrieved woman has made a complaint under section 9 of the Act;

"**Sexual Harassment**" includes such unwelcome ~~sexually determined~~ behavior (whether directly or

by implication) as

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

Apart from the above, the following circumstances may also amount to sexual harassment among other circumstances, if they occur or are present in relation to or connected with any act or behavior of sexual harassment: -

- (i) implied or explicit promise of preferential treatment in her employment; or
- (ii) implied or explicit threat of detrimental treatment in her employment; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

Inappropriate conduct could also be a joke, a prank or even a compliment. These gestures also lead to harassment although the intention of the individual might not be to offend the other person.

“**Workplace**” includes any place where the employee is engaged in work for the employer and any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey.

Definitions and Examples

For the purposes of this policy, the following definitions apply:

Sexual exploitation – any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse – the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual harassment – sexually related behaviour that is unwelcomed, unsolicited and unreciprocated and would cause a reasonable person in the circumstances to be offended, humiliated or intimidated. It does not refer to occasional compliments or other mutually acceptable behaviour.

Examples of acts of sexual exploitation and abuse include, but are not limited to:

- Sexual assault (any unwanted or forced sexual act committed without consent) or threat thereof. Sexual assault can occur either against a person’s will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol. Force includes:
- actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (unwanted kissing or touching)
- threats of physical aggression
- emotional coercion

- psychological blackmailing
- Forcing someone to have sex with anyone
- Forcing a person to engage in prostitution or pornography or videotaping or photographing sexual acts and posting it without permission
- Refusing to use safe sex practices
- Alleging or threatening to allege that anyone already has a history of prostitution on legal papers
- Insisting on anything sexual that may be uncomfortable, frightening or hurtful
- Demanding sex in any context or telling someone that they or anyone else are obliged to have sex as a condition for anything.

Examples of behaviour that could be considered sexual harassment include, but are not limited to:

- Unwanted physical contact, sexual suggestions, or demands
- Making obscene or sexually suggestive remarks, insults or jokes that may cause offense
- Name-calling with sexual epithets
- Sending explicit or sexually suggestive emails
- Intrusive enquiries into a worker’s private life.

5 Internal Committee (IC)

Initially, and till further notice, the company will have a minimum of four-members Internal Committee (IC). The committee is comprised of the following members:

Name	Capacity	Designation	Phone Number	Email ID
Ms. Neha Maheshwari	Chairperson	Head-Credit	+91 9999411260	neha.maheshwari@satyamicrocapital.com
Mr. Manoj Kumar	Member	National Head	+91 8305904889	manoj.k@satyamicrocapital.com
Ms. Jyoti Sharma	Member	Dy. Vice President-Training	+91 8448864820	jyoti.sharma@satyamicrocapital.com
Ms. Sushma Gupta	Member	External Member	+91 8745831827	gsushma628@gmail.com

Presiding Officer, being the Chairperson of the Committee reserves the right to nominate more members of appropriate seniority and rank in the committee to conduct such enquiries to ensure equal representation of the gender as that of the complainant or for any other valid reason provided not less than half of the IC members shall be women. The term of the IC members is 3 years.

The management shall ensure that the IC Committee shall be reconstituted once the term of the existing committee is over. In cases if there are any complaints against any of the ICC members, the management, if deem necessary, shall take immediate steps to reconstitute the ICC.

6. Powers & Responsibilities of the Internal Committee

The POSH Act stipulates that the IC shall, while inquiring into a complaint of workplace sexual harassment, have the same powers as vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of:

- Summoning and enforcing the attendance of any person and examining him on oath

- Requiring the discovery and production of documents; and
- Any other matter which may be prescribed

The Internal 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

The decisions of the IC will be supreme and binding on all staff and Directors of the company.

7. Complaint Mechanism

In accordance with the POSH Act, an appropriate complaint mechanism in the form of “Internal Committee (IC)” has been constituted by the Company for time-bound redressal of the complaint made by the aggrieved. Harassment may happen during office hours, at clients’ location, in the field or after office hours. The location and time of harassment will not be the criterion for rejection of a complaint.

Process for Complaint and Resolution

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 victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if the victim is not comfortable with addressing the harasser directly, the victim can bring her concern to the attention of the Internal Committee (IC) for redressal of her grievances.

B. Formal complaint

An employee with a harassment concern, 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 Internal Committee.

- The complaint shall have to be in writing and can be in the form of a letter, submitted within 3 months from the date of the incident and in case of a series of incidents, within a period of 3 months from the date of the last incident.
- The Internal Committee can extend the timeline for filing the complaint, for reasons to be recorded in writing, by a period of 3 months.
- Alternatively, the employee can send a complaint through an email
- The employee(s) making the complaint is / are 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.

- Complaint against any member of the Internal Committee should be sent directly to the Managing Director (MD) of the Company.

8. Inquiry

Before proceeding for a formal inquiry, the IC, if requested by the complainant, may take steps for conciling the matter between the complainant and the harasser through mutual discussions with both. If a settlement is arrived at during the conciliation, the same shall be recorded in writing and signed by both the complainant and the harasser and shall be forwarded to the management for keeping in the records and a copy each shall be provided to the complainant and the harasser. Once matter is resolved through conciliation, no further action shall be taken by the IC. However, if at a later date it is informed to the IC that the terms of conciliation have been violated by any of the party, action may be taken as deemed fit by the IC, including but not limited to sending a formal complaint to the concerned police station for registration of complaint against the defaulting party.

In case the matter is not resolved through conciliation, The Presiding Officer of the committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination)

made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the committee will record this finding with reasons, and communicate the same to the complainant.

If the committee determines that the allegations constitute an act of sexual harassment, it will proceed to investigate the allegation.

The committee may enquire the complaint in following terms:

- Hear the case individually from each party
- Hear the case jointly and have an open discussion with the concerned parties together
- Corroborate case facts through discussions with other relevant staffs, while maintaining confidentiality
- Try and establish the veracity of versions of events and incidents as told by the complainant and by the alleged offender through investigation
- Take opinions of other staff against the offender as well as the complainant without revealing the case details

The IC shall conduct such investigations in a timely manner and communicate its findings and recommendations for action to the Head- Human Resource (Head-HR) and the Head-HR will take appropriate action in accordance with the recommendation proposed by the IC Committee.

Head-HR shall also ensure compliance with POSH Act and maintain confidentiality throughout the investigation process to the extent practicable and appropriate under the circumstances.

The inquiry must be concluded within 90 days of registering of the formal complaint. The Inquiry report

has to be issued within 10 days from the date of completion of inquiry. The Company is required to act on the recommendations of the IC within 60 days of receipt of the Inquiry report.

9. Interim Relief

Pending conclusion of the inquiry proceedings, the ICC Committee may, at the instance of the aggrieved person, consider granting the following types of interim reliefs.

1. Granting the aggrieved person leave (for a period of maximum 3 months).
2. Transferring the aggrieved person or the respondent to another workplace or permitting one or both of them to work remotely and/or
3. Restraining the respondent from reporting on the work performance of the aggrieved person.

Such a decision shall be at the sole discretion of the Committee.

10. Action

If the offence is proven beyond doubt or the case facts support the complainant's version, depending on the severity of the issue, IC may recommend one or more of the following actions:

- Counsel the victim as well as the offender
- Ask offender to submit an apology with commitment of not repeating the behaviour
- Change of work assignment / transfer for either the perpetrator or the victim.
- Suspension or termination of services of the employee found guilty of the offence
- Issue relieving letter to the offender mentioning the behaviour

11. Appeal

Any party not satisfied with the decision of the IC can appeal to the IC itself with new facts or evidence supporting his or his/ her argument. However, this option will be available only once. Appeal against the decision of the committee is allowed within 90 days from the date of recommendations.

12. Duties of Employer:

The Human Resources Department shall have responsibility to:

- a. provide a safe working environment at the workplace with 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 harassments; and the details of IC Committee
- c. organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee;
- d. provide necessary facilities to the IC Committee, for dealing with the complaint and conducting an inquiry;
- e. assisting in securing the attendance of respondent and witnesses before the IC Committee, as may be required having regard to the complaint made;
- f. provide assistance to the woman if she so 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;
- g. cause to initiate action, under the Indian Penal Code or any other law for the time being in force,

against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place; treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;

- h. monitor the timely submission of reports by the Internal Committee.
- i. will create awareness amongst employee material on sexual harassment in the following manner: -
 - i. Training and Awareness session for employees (men and women) including senior management.
 - ii. Training and Awareness session for ICC members

13. False complaints

In case IC, through inquiry finds that the complaint was false and had been made either out of reckless behaviour, in joke or jest or with malicious intent to harm the alleged offender personally or professionally, the Committee may initiate one or more of the following actions against the complainant depending on the severity of the issue:

- Ask complainant to tender a formal apology and withdraw complaint in writing
- Counsel and warn the concerned staff
- Terminate / Transfer staff
- Issue relieving letter mentioning the behaviour of the staff

14. Record-keeping

All case details related to complaints, responses, communications, case facts, evidence and meeting minutes must be formally documented and recorded by the IC Committee. These facts will also be reported to the Board and the decision taken will be noted in the Board Minutes.

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

15. Reporting

IC Committee is required to report on quarterly basis the number of cases received, number of cases pending, and number of cases disposed of during the quarter to the Head- HR and Chief Compliance Officer of the Company.

The Human Resource Department shall in each calendar year prepare an annual report and submit the same to the management and the District Officer. The report should cover the details on the number of cases filed, if any, and their disposal under this Act.

The due date to file the report with the District Officer is 31st of January for every year for the preceding calendar year.

16. 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 investigation process to the extent practicable and appropriate under the circumstances.

The Company will do everything consistent with enforcement of this Policy and with the law to protect the privacy of the individuals involved and to ensure that the aggrieved and the accused are treated fairly. Any person (including witnesses) who breaches confidentiality shall be subject to serious disciplinary action.

17. 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 procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

18. Dissemination and internal control

The Head-Human Resources and Training Department will have responsibility to ensure that this policy has been disseminated to all the personnel covered under this policy. They will periodically check that stakeholders are reasonably aware of this policy and the policies and processes specified in this policy are being adhered to.

19. This policy does not bar personnel for approaching appropriate authority.

Nothing in this policy prohibits an employee from approaching an appropriate authority under Indian law for redressal of his or her grievances.

20. Safeguarding code of conduct and Training

A safeguarding Code of Conduct on POSH has been developed. Training on this policy is delivered to staff at induction, and as part of Insert Partner name regular staff training program as appropriate.