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Anand Rathi Wealth Limited

Anti-Sexual Harassment (ASH) Policy

July, 2022

Preface

Anand Rathi Wealth Limited (hereinafter referred to as the “Company”) has a philosophy that includes respect for human values, individual dignity, no gender bias and adherence to honest, ethical and professional conduct among employees. Employees are guided by the vision statement and values for the success and reputation of the Company.

Protection against Sexual Harassment and right to work with dignity are universally recognised human rights. Our company is committed to creating a healthy working environment, and promotes equality of opportunity and freedom that enables employees to work without fear of prejudice, gender bias and Sexual Harassment. The Company also believes that all its Employees have the right to be treated with dignity.

Sexual Harassment at Workplace is a violation of the fundamental right and, therefore, requires an effective mechanism for prevention, prohibition and redressal of Sexual Harassment. In order to create such a safe and conducive work environment, this Policy has been framed, in line with the provisions of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” of India and existing rules framed thereunder namely the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

Objectives

- a. To define sexual harassment;
- b. To lay down the guidelines for making complaints; and
- c. To provide the procedure for conciliation, resolution and redressal of complaints in a time bound manner.

Applicability

The Policy is applicable to all employees of Anand Rathi Wealth Limited., irrespective of their level, rank or designations across all departments, functions, operations, units, meeting centres and offices (including branch, administrative and regional) of the Company and is deemed to be incorporated in the service conditions of all the Company employees and comes into effect forthwith. This policy extends to all employees including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, vendors, contractual resources (Third Party), secondees and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond office hours.

1. Definitions

For the purpose of this Policy, unless the context otherwise requires:

1.1 “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 and includes contractual, temporary, visitors; (hereinafter referred as ‘AP’)

1.2 “Company” means Anand Rathi Wealth Limited (formerly known as Anand Rathi Wealth Services Limited)

1.3 “Complaint” means a complaint of Sexual Harassment at Workplace;

1.4 “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;

* Explanation: The aforesaid definition of ‘Employee’ shall be used only for the purpose of the Policy and cannot be used to claim rights of an employee conferred by any law for the time being in force.

1.5 “Employer” means a person responsible for management, supervision and control of the workplace.

1.6 “Internal Committee” means a committee constituted for redressal of Complaints by the Aggrieved Person and making recommendations for resolution to the Management Team;

1.7 “Member” means a Member of the Internal Committee;

1.8 “Presiding Officer” means the Presiding officer of the Internal Committee nominated by the Management; (hereinafter referred as ‘Chairperson’)

1.9 “Respondent Person” means a person against whom the Aggrieved Person has made a Complaint;

1.10 “Parties” means collectively the complainant and the respondent.

1.11 “Sexual Harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely :

1.11.1 physical contact and advances; or

1.11.2 a demand or request for sexual favours; or

1.11.3 making sexually coloured remarks; or

1.11.4 showing pornography; or

1.11.5 any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The 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:

- 1.11.6 implied or explicit promise of preferential treatment in employment; or
- 1.11.7 implied or explicit threat of detrimental treatment in employment; or
- 1.11.8 implied or explicit threat about present or future employment status; or
- 1.11.9 interference with work or creating an intimidating or offensive or hostile work environment; or
- 1.11.10 humiliating treatment likely to affect health or safety;

1.12 **“Third Party”** means any person or persons who is not on the rolls of the Company but, in the course of work related activities, is interacting with the Company;

1.13 **“Workplace”** shall mean any place(s) where an Aggrieved Person is employed or works, or visits in connection with his duties during the course of or arising out of his employment and includes transportation provided by the employer for undertaking such journey;

2. Prevention of Sexual Harassment at Workplace & Reporting

No Employee shall be subjected to Sexual Harassment at any Workplace. If an employee is being sexually harassed he/she should:

- 2.1 Tell the Respondent Person that his / her behaviour is unwelcome and ask him/her to stop.
- 2.2 Keep a record of incidents (dates, times, locations, possible witness(es), what happened, Aggrieved Person’s response).
- 2.3 Make, in writing, a complaint to the Internal Committee within a period of three months from the date of last incident in accordance with the terms of the Policy.

3. Constitution of Internal Committee

- 3.1 The Internal Committee shall consist of not less than four members, to be nominated by the Company, provided that at least one-half of the total members so nominated shall be women;
- 3.2 The Committee shall be headed by a woman employed at a senior level at workplace, who shall be its Presiding Officer;
- 3.3 Not less than two members of the Internal Committee shall be from amongst Employee preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

3.4 One member of the Internal Committee shall be from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment;

3.5 The Presiding Officer and members of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination;

4. Complaint Mechanism

4.1 Informal Resolution Options:

When an incident of sexual harassment occurs, the victim of such conduct can communicate disapproval and objections immediately to the Respondent Person and request the Respondent Person to behave decently.

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

4.2 Complaint to be made in writing

4.2.1 An aggrieved employee, who is not comfortable with the informal resolution option, may make a formal complaint to the Internal Committee within a span of three months from the date of incident and in case of a series of incidents within a period of three months from the date of last incident. The Complainant shall send such complaint as given below:

4.2.1.1 The incident shall be described in the format attached herewith
(Ref: Annexure A)- 'Reporting Sexual Harassment at Workplace' and or;

4.2.1.2 Through an email on ic-arwl@rathi.com and or;

4.2.1.3 Through an email to any of the Internal Committee members
(Ref: Annexure B)

4.2.1.4 The complaint can be given in writing in the form of a letter addressed to Internal Committee and this letter can be sent in a sealed envelope on the following address:

Internal Committee for Sexual Harassment Complaint
Floor No. 2 & 3, 'E' Wing, Trade Link,
B & C Block, Kamala Mill Compound,
Senapati Bapat Marg, Lower Parel (W),

The victim / complainant is required to disclose the name, region, department, division, location along with contact number and email address, to enable the Internal Committee to contact the Respondent Person and take the matter forward.

5. In case the Aggrieved Person is unable to make the complaint in writing, she may approach the Presiding Officer or any member of the Internal Committee, who shall render all assistance to the Aggrieved Person for making the complaint in writing.

The Internal Committee may, for reasons to be recorded in writing, extend such time limit of filing complaint up to further three months, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned in hereinabove. The complaint should clearly mention name and available details of both the aggrieved person and the respondent. Anonymous or pseudonymous complaints will not be investigated.

6. The following persons can make a Complaint

6.1 Aggrieved Person;

6.2 Where the Aggrieved Person is unable to make a complaint on account of physical incapacity, a complaint may be filed by-

- 6.2.1** A relative or friend or a co-worker of the Aggrieved Person; or
- 6.2.2** An officer of the National Commission for Women or State Women's Commission; or
- 6.2.3** Any person who has knowledge of the incident, with the written consent of the Aggrieved Person

6.3 Where the Aggrieved Person is unable to make a complaint on account of mental incapacity, a complaint may be filed by-

- 6.3.1** A relative or friend of the Aggrieved Person; or
- 6.3.2** A special educator; or
- 6.3.3** A qualified psychiatrist or psychologist; or
- 6.3.4** The guardian or authority under whose care the Aggrieved Person is receiving treatment or care; or
- 6.3.5** Any person who has knowledge of the incident jointly with a relative or a friend of the AP or a special educator or a qualified psychiatrist or psychologist, or the guardian or authority under whose care the AP is receiving treatment or care.

6.4 In case of death of the Aggrieved Person, the complaint can be filed by any person who has knowledge of the incident with the written consent of the legal heir of the Aggrieved Person.

6.5 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 written consent of Aggrieved Person

6.6 Internal Committee 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 within seven days from the date of 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 Internal Committee will record this finding with reasons and communicate the same to the Aggrieved Person.

7. Conciliation

7.1 The Internal Committee may before initiating an inquiry and at the request of the Aggrieved Person take steps to settle the matter between the Aggrieved Person and the Respondent Person through conciliation.

Provided that no monetary settlement shall be made as a basis of conciliation.

7.2 Where a settlement has been arrived through conciliation, the Internal Committee shall record the settlement so arrived and forward the same to the Management Team to take action as specified in the recommendation.

7.3 The Internal Committee shall provide the copies of the settlement as recorded, to the Aggrieved Person and the Respondent Person.

7.4 Where a settlement is arrived at through conciliation, no further inquiry shall be conducted by the Internal Committee

7.4.1 Provided, where the Aggrieved Person informs the Internal Committee that any term of the settlement so arrived, has not been complied with by the Respondent Person, the Internal Committee shall proceed to make an enquiry into the Complaint, or as the case may be, forward the Complaint to the **appropriate law enforcement authorities**.

8. Inquiry Into Complaint (Internal Committee)

8.1 Manner of Inquiry

8.1.1 Internal Committee shall proceed to make inquiry into the Complaint where the Respondent Person is in the employment of the company;

8.1.2 On receipt of the complaint, Internal Committee shall within seven working days from the date of receipt of the Complaint, send a copy of the Complaint received from the Aggrieved Person to the Respondent Person;

- 8.1.3** The Respondent Person shall file his reply to Internal Committee along with the names and addresses of the witnesses and supporting documents within a period not exceeding ten working days;
- 8.1.4** Internal Committee shall make an enquiry into the complaint in accordance with the Principles of Natural Justice;
- 8.1.5** The Aggrieved Person and the Respondent Person shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Committee;
- 8.1.6** While conducting the inquiry, a minimum of three members of the Internal Committee including the Presiding officer shall be present;
- 8.1.7** The parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the Aggrieved Person and the Respondent Person to enable them to make representation against the findings before the Internal Committee;
- 8.1.8** For the purpose of making an inquiry, Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:-
- 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.
- 8.1.9** The inquiry shall be completed within a period of ninety days from the date of receipt of written complaint.

9. Actions during pendency of Enquiry

- 9.1** During the pendency of an inquiry, Internal Committee at the written request of the Aggrieved Person may recommend to the employer to:
- 9.1.1** Transfer the Aggrieved Person or the Respondent Person to any other Workplace; or
- 9.1.2** Grant leave to the Aggrieved Person up to a period of three months; or
- 9.1.3** Restrain the RP from reporting on the work performance of the Aggrieved Person or writing his/her confidential report, and assign the same to another person.

9.1.4 Grant such other relief as may be appropriate

9.2 Once the recommendations of interim relief are implemented, the same is informed to the committee.

10. Termination of Inquiry Proceedings / Ex parte Decision

10.1 The Internal Committee shall have the right to terminate the inquiry proceedings or give an ex-parte decision on the Complaint, if the complainant or Respondent Person fails, without sufficient cause, to present herself or himself for three consecutive hearings conveyed by the presiding officer of the Internal Committee.

10.2 Provided such termination or ex-parte order shall not be passed unless a fifteen days' prior written notice has been given to the party concerned.

11. Inquiry Report

11.1 On completion of the inquiry, the Internal Committee shall provide a report of its findings to the employer within a period of ten days from the date of completion of the inquiry and such report shall be made available to the parties concerned.

11.2 The Internal Committee may recommend a detailed and reasoned order, which may include:

11.2.1 Recommending to the employer to take appropriate action for Sexual Harassment as a misconduct in accordance with the HR Manual / terms of employment and/or payment of compensation, commensurate with the gravity of the offence of which the Respondent Person has been found guilty of as per applicable law;

11.2.2 Recommending the employer, steps necessary and reasonable to assist the Aggrieved Person in terms of support and preventive action where Sexual Harassment at Workplace has occurred as a result of an act or omission by any Third Party or outsider;

11.2.3 Recommending to the employer appropriate disciplinary action against the person making the Complaint, in case the Complaint registered is found to be frivolous or false or was made with a malicious intention;

11.2.4 Recommending the employer that no action is required to be taken in the matter, in case it arrives at the conclusion that the allegation against the Respondent Person has not been proved.

12. Confidentiality

12.1 The information generated in the course of informal reviews and formal investigations necessary for enforcing this Policy will be given the full extent of confidentiality to Employee personnel records. Any person who, without authorization, reveals such information will be subject to disciplinary action.

12.2 The sharing of the content of the Complaints will be on a “need to know” basis only. It is understood that Sexual Harassment at Workplace is an issue of highly sensitive nature and therefore strict confidentiality will be maintained by the affected person/victim, defendant, witnesses, the Complaints Committee and employer.

13. Protection against Retaliation

Regardless of the outcome of the Complaint made in good faith, the Aggrieved Person lodging the Complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with Complaints, the Internal Committee shall ensure that the Aggrieved Person or the witness (es) are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the Aggrieved Person while the investigation is in progress should be reported by the Aggrieved Person to the Internal Committee as soon as possible. The Internal Committee, if so required, may issue appropriate interim orders from time to time recommending the employer to issue orders as may be necessary to ensure the safety of the Aggrieved Person and/or the witness (es).

14. Appeal

Any person aggrieved by the recommendation of Internal Committee may prefer an appeal under the relevant provisions of the Act and Rules.

15. Complaints made with a Malicious Intent

Where the Internal Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to employer to take action in accordance with the provisions of the service rules applicable to the said witness (s) or where no such service rules exists, in such manner as may be prescribed.

16. Role, Duties and Responsibilities of Internal Committee Members

16.1 The committee has to first, on receipt of written complaint; establish a prime facie case that the incident has occurred.

16.2 The investigation has to be conducted as per prescribed procedure within defined time lines.

16.3 The committee will make a thorough investigation on the charges levied against the accused and initiate appropriate proceedings and suggest appropriate punishment.

16.4 The inquiry report and recommendations to be sent by the Internal Committee to the employer.

16.5 The committee shall ensure complete confidentiality of the proceedings, reports and recommendations submitted to the employer.

Annexure A

FORMAT FOR REPORTING SEXUAL HARASSMENT AT WORKPLACE

To,
The Sexual Harassment Internal Committee

Sexual Harassment details:

[You may attach additional sheets if necessary to provide the details]

A) Person/people involved in Sexual Harassment at Workplace:

[Please provide the full name(s), designation, location(s), SBU of the RP and the relationship with you (e.g. supervisor, colleague, etc.)]

B) Incidents and factual data: [Please describe the incident/s]

Your response to the incident/s

f) Other material and relevant details:

[Please provide date/s, place/s of the incident/s, name and addresses of the witnesses, details of text messages, emails, if any, etc.]

Person making the Complaint is [please tick]:

- a) Aggrieved Person
- b) A relative of the Aggrieved Person
- c) A friend of the Aggrieved Person
- d) A co-worker with the Aggrieved Person
- e) An officer of the National Commission of Women
- f) An officer of the State Women's Commission
- g) A special educator
- h) A qualified psychiatrist or psychologist

- The guardian or authority under whose care the AP is receiving treatment or care
- A person who has knowledge of the incident with the written consent of the AP
- A person who has knowledge of the incident with the written consent of the legal heir of the AP
- A person who has knowledge of the incident jointly with a relative or a friend of the AP or a special educator or a qualified psychiatrist or psychologist, or the guardian or authority under whose care the AP is receiving treatment or care

Date: _____

Place: _____

Name of the person(s) reporting: _____

Designation: _____

Department: _____

Location: _____

Office No: _____

Official email Id: _____

Complete office address with Pin Code: _____

Mobile No: _____

Personal email Id: _____

Complete residence address with Pin Code: _____

Residence Phone No: _____

Signature: _____

Annexure B

Internal Committee (IC)

Notice to all Employees

Internal Committee (IC) - This committee of nine members is constituted to investigate the concerns / complaints received for Sexual Harassment at Workplace. The committee is as given below in the circular. The members of this committee are appointed by the Management and hence through this circular the same is being communicated to all employees of the Company. Any changes in below mentioned committee members will be communicated to all employees from time to time.

Presiding Officer and Members of IC for **Employees of Anand Rathi Wealth Limited:**

Sr. No.	Name	Designation in IC	Email ID	Contact Details
1	Ms. Poonam Raghuvanshi	Presiding Officer	ic-arwl@rathi.com	9811307084
2	Ms. Divya Sreenivasan	Member		9845039573
3	Ms. Protima Dhawan	Member		9949909955
4	Ms. Meenu Bagree	Member		9841425595
5	Ms. Amrita Sultania	Member		9831086009
6	Ms. Simmi Dhingra	Member		9168456733
7	Ms. Shweta Shyam Rajani	Member		9619081916
8	Mr. Arjun Guha Thakurta	Member		9820573840
9	Mr. Prashant Sawant	External Member		9819113555