

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. INTRODUCTION

All employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to

- Treat each other with dignity and respect
- Follow the letter and spirit of law
- Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the Organisation.

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail.

This policy provides protection against sexual harassment at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2. SCOPE & RESPONSIBILITY

This Policy extends to all employees of Vivriti Capital Ltd. and Vivriti Asset Management Pvt. Ltd. and is deemed to be incorporated in the service conditions of all employees of these organizations in India. Though under the Act, the protection has been provided only to women, the Organisation policy extends the protection against sexual harassment to all genders. The process of inquiry remains the same.

This Policy comes into effect immediately. Individual Managers are responsible for ensuring that this policy is applied within their own area.

The owner of this policy is HR Department. HR Department has the responsibility for ensuring the maintenance, regular review and update of the policy. Any queries on the application or interpretation of this policy must be discussed with HR Department.

Further, any complaints received under this policy will be handled by the Internal Committee of the respective location, as per the guidelines provided.

3. DEFINITIONS

Sexual harassment: May occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Organisation.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), but not limited to:

1. Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:

1. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit
2. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
3. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one’s will
4. Demand or request for sexual favours
5. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body
6. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas
7. Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
8. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person’s wishes
9. Giving gifts or leaving objects that are sexually suggestive
10. Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy; Persistent watching, following, contacting of a person; and
11. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
12. Implied or explicit promise/ threat of preferential or detrimental treatment in employment in relation to any sexually determined act/ sexual favour

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the Aggrieved person.

Aggrieved Person: In relation to a workplace, any person (woman, man or transgender) of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Complainant: Any aggrieved person (woman, man or transgender) who makes a complaint alleging sexual harassment under this policy.

Respondent: A person against whom a complaint of sexual harassment has been made by the Aggrieved person under this policy. The Respondent needs to be an employee of the Organisation.

Employee: A person employed at the 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.

Special Educator: A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

Workplace:

- Premises, locations, establishments, enterprises, institutions, offices, branches or units established subsidiaries which are controlled by the Organisation.
- Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.
- Virtual and remote platforms used for work

Employer: A person responsible for management, supervision and control of the workplace. For the purpose of implementation and execution of this policy and IC recommendations, Employer will be Vivriti Group.

4. ORGANISATION POLICY STATEMENT

Vivriti prohibits any form of sexual harassment. The Organisation holds a Zero Tolerance Policy and undertakes the responsibility of preventing and prohibiting all such actions. To execute its policy, it has constituted an IC to address all complaints of sexual harassment.

5. RESPONSIBILITY OF EMPLOYEES

It is the responsibility of all employees of [Organisation] to respect the rights of others and to never encourage harassment. It can be done by:

- a) Refusing to participate in any activity which constitutes harassment
- b) Supporting the person to reject unwelcome behaviour
- c) Acting as a witness if the person being harassed decides to lodge a complaint
- d) It is also responsibility of employees to cooperate with the IC if and when called upon.

6. WHO CAN COMPLAIN?

Complain can be filed by an aggrieved person in writing in format provided by the Organisation (Appendix 1) or otherwise, as per the requirements as given under. The Act allows the following to file a complaint:

- Aggrieved person- Though the Act only protects women (including trans women, the Organization policy extends its protection to all genders.
- If the Aggrieved person is unable to make a complaint on account of her/his **physical incapacity**, a complaint may be filed by:
 - her relative or friend; or
 - her co-worker; or
 - an officer of the National Commission for Women or State Women's Commission; or
 - any person who has knowledge of the incident, with the written consent of the Aggrieved person
- If the Aggrieved person is unable to make a complaint on account of her/his **mental incapacity**, a complaint may be filed by:
 - Her/his relative or friend; or
 - a special educator; or
 - a qualified psychiatrist or psychologist; or
 - the guardian or authority under whose care she is receiving treatment or care; or
 - any person who has knowledge of the incident jointly with the Aggrieved person's 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
- In case of **Complainant's death**: Any person with knowledge of incident with written consent of her/his legal heir
- In case complainant is **unable to file** the complaint for some other reason: By any person who has knowledge of the incident with her/his written consent.

7. ESSENTIALS OF A COMPLAINT

- Name of the aggrieved, work designation
- In case complainant is not able to file the complaint then the relationship with the complainant and the consent form along with the reason for incapacity of the complainant
- Date of the last incident(s)
- Name of the alleged harasser, designation, working relationship with the complainant
- Details of the incident
- Documents or evidence in support
- Remedy sought

It is always advised to give your complaint in written. A format for the same is available as Appendix (1) to this policy. When you make your complaint verbally, the IC shall transcribe the same in written. As a complainant you should sign at the complaint submitted.

8. WHO TO COMPLAIN TO?

The complaint for sexual harassment shall be done to the **Internal Committee (IC)** of your unit. Each unit of [Organisation] has an IC. The members of each IC have been mentioned in the notice board at reception area. An Appendix of the IC members of each unit is attached herein.

The complaint can also be filed to the External member of the committee. The details of the external member is as follows:

Ms. Nallini Ollivanan
Independent Consultant – Interweave Consulting
Email : nallini@interweave.in

If the Complaint is against the employer, the complaint can be addressed to the **Local Complaints Committee**, which sits at;

The District Collector,
Office of District Collector,
62 Rajaji Salai, Fourth Floor,
Chennai, Tamil Nadu - 600001

Local Complaints Committee(LCC) is a committee made by State Governments under 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013). If there is no Internal Committee in any organisation or if the complaint is against the Employer, then the complaints shall be filed/ registered with the LCC, which sits at District office of each District.

It is important to note that LCC will only register cases of sexual harassment against women (including trans woman). For all other complaints (i.e. complaints from other genders), the aggrieved needs to approach the Labour court or the police.

9. INTERNAL COMMITTEE

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Committees (IC) have been appointed for all administrative units / offices of the Organisation. The detail of the committee is notified to all covered persons at the location (workplace).

The Internal Committee details are as follows:

Vivriti Capital Limited – Chennai (HO)		Vivriti Capital Limited – Mumbai & Bangalore	
Name	Designation	Name	Designation
Sowjanya V	Presiding Officer	Sowjanya V	Presiding Officer
Lakshmi Balaji	Member	Amit Shankar	Member
Hemang Mehta	Member	Hemang Mehta	Member
		Chetna Aggarwal	Member
Nallini Ollivanan	External Member	Nallini Ollivanan	External Member

Vivriti Asset Management Private Limited – Chennai (HO)		Vivriti Asset Management Private Limited – Mumbai	
Name	Designation	Name	Designation
Sowjanya V	Presiding Officer	Sowjanya V	Presiding Officer
Ashi Lavanya	Member	Krishna Kasturi	Member
Hemang Mehta	Member	Hemang Mehta	Member
Nallini Ollivanan	External Member	Nallini Ollivanan	External Member

Constitution: The committee has been constituted in accordance with law.

- Presiding Officer: A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women or who have had experience of social work or have legal knowledge
- One external 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
- At least one half of the total members nominated being women

Powers: Powers of Civil Court under Code of Civil Procedure:

- Examining on oath
- Obtaining and production of documents
- Summoning and enforcing attendance

1. May terminate proceedings if complainant fails, without sufficient cause, to be present for 3 consecutive hearings. Only with 15 days prior notice in writing to complainant.

2. May give ex-parte order if respondent fails, without sufficient cause, to be present for 3 consecutive hearings. Only with 15 days prior notice in writing to the respondent.

Emergency Helpline No.: In case of any emergency related to any matter under the purview of this policy, the ICC can be contacted over phone on +91 6385153864

Responsibilities: The committee will be responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure

- c. Submitting findings and recommendations of inquiries
- d. Coordinating with the employer in implementing appropriate action. The role of IC is not restricted to redressal but also encompasses prevention measures.
- e. Maintaining strict confidentiality throughout the process as per established guidelines
- f. Submitting annual reports in the prescribed format
- g. Collaborate with the HR/Training team to ensure that enough training and communication is done on a regular basis
- h. Know the pulse of the organisation with respect to the gender diversity and acceptance
- i. Walk the Talk - Ensure that as leaders, one practices respect and equality in all respects at the Workplace

10. REDRESSAL MECHANISM

There are two ways of redressal available as per law:

Informal Resolution procedure through CONCILIATION

- Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the Aggrieved person.
- No monetary settlement can be made as a basis of conciliation.
- In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action.
- It is mandatory to ensure that both parties have consented to the conciliation process. In some cases, such as those in which the respondent is alleging that the complaint is malicious, they may wish to proceed directly with the inquiry process.

Formal Resolution procedure through FORMAL INQUIRY

The committee will initiate inquiry in the following cases:

- No conciliation is requested by Aggrieved person
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

In compliance with the Act, any complaint under this policy, if not settled through conciliation, shall be followed by a formal redressal mechanism as described in this Policy.

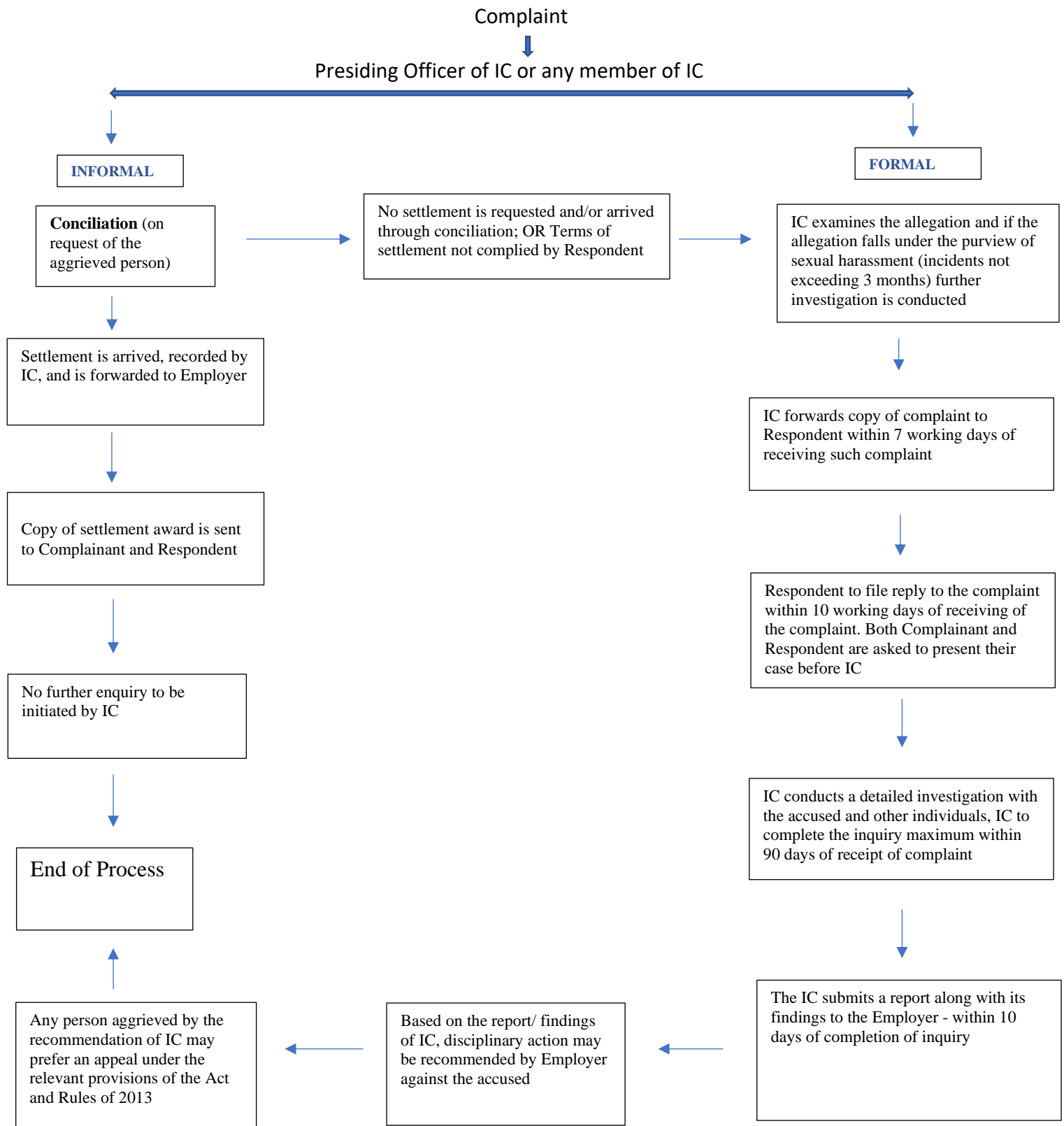
Lodging a Complaint

- An aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee.
- The complaint must be made within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months

for reasons recorded in writing, if it is satisfied that these reasons prevented the lodging of the complaint within the period.

- Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the Aggrieved Person for making the complaint in writing.
- The complaint shall be submitted by the complainant (or others as permitted by law) to the IC in writing or shall be submitted to the IC electronically at poshcommittee@vivriticapital.com or to email address of any of the IC member. The complaint can also be physically submitted to any IC member.

11. GRIEVANCE REDRESSAL



12. INQUIRY PROCEDURE

- All proceedings of the inquiry are documented.
- The Committee interviews the parties to the complaint (respondent, complainant, witnesses) separately and impartially.
- Every party is given full and fair opportunity to respond and provide any evidence etc.
- The Complainant and Respondent hold the right to cross question each other's statements.
- The inquiry shall be completed within 90 days from the date of receipt of complaint followed by submission of Inquiry Report.

13. INTERIM RELIEF

During the pendency of the inquiry the Complainant can request the IC, in writing, for an interim relief. The IC shall consider and recommend suitable relief as provided by law.

It is to be noted that granting interim relief is a discretion and will be weighed as per the facts and situation of each complaint. Also, to be noted, IC's grant of interim relief shall be a relief for the complainant but shall not be detrimental to the Respondent.

14. TERMINATION OF INQUIRY

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex-parte order.

15. COMPLAINT UNSUBSTANTIATED

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the company.

16. COMPLAINT SUBSTANTIATED: RECOMMENDATION

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- Written apology
- Warning
- Community service/ Counselling
- Reprimand or Censure
- Withholding promotion
- Withholding pay rise/ increments or promotion
- Suspension/ Termination

17. MALICIOUS COMPLAINT

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved person or any other person making the complaint has made the complaint knowing it to be false or the aggrieved person or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint.

The recommendation against a malicious complaint can be same as provided in law for when the complaint is found substantiated.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

18. CONFIDENTIALITY

The identity and addresses of the complainant, respondent, witnesses, any information relating to the conciliation or inquiry proceedings, recommendations made by the IC/ LCC and the action taken by the employer or District officer, as the case may be, shall not be published, communicated or made known to public, press or media in any manner.

Any person contravening the confidentiality clause is subject to disciplinary action, including termination, depending upon the intensity and impact of the breach.

If the Confidential Information needs to be disclosed by order of any court, governmental agency, or regulatory authority or subpoena or discovery request in pending litigation due to an appeal as under clause 16 or otherwise, the same shall not be considered a breach of Confidentiality. It is to be noted that the disclosure shall only be to the extent lawful and necessary.

19. POST INQUIRY FOLLOW UP

Post inquiry and implementation of the actions, the organisation reserves the right to follow up with the complainant/ respondent/ witnesses to ascertain their well-being and keep a check on retaliation/victimization of either of the parties. This follow up is undertaken by the complainant's Line Manager supported by HR.

20. APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act. The appeal shall be preferred within a period of ninety days of the recommendations. The appeal can be made to the relevant court with appropriate jurisdiction.

21. ACCESS TO REPORTS AND DOCUMENTS

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

22. NO- RETALIATION

Vivriti is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of retaliation. Any reprisal will be subject to disciplinary action. Vivriti will ensure that victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure with established malicious intent will be penalized as outlined above.

APPENDIX 1: Formal Complaint to ICC

Section 1: Details of the Aggrieved Individual / Victim

Name	
Designation	
Division/ Unit/ Department	
Contact Number	
Address (office)	

If Applicable- Details of Complainant who is filing the form on behalf of the aggrieved individual/ victim

Name	
Relationship with Aggrieved Individual (Victim)	
Designation (if Complainant is an employee)	
Division/ Unit/ Department (if Complainant is an employee)	
Contact number	
Address (office/ administrative unit where the complainant works)	
Reason for Aggrieved Individual is unable to file the complaint	<input type="radio"/> Physical incapacity <input type="radio"/> Mental Incapacity <input type="radio"/> Death <input type="radio"/> Any other reason_____

Section 2: Details of the Alleged Harasser

Name	
Designation	
Division/ Unit/ Department	
Contact Number	
Address (place of work of the alleged harasser)	

Section 3: Details of the incident

Description of the incident	
Other details (if the incident was repeated/ any previous incident)	
Date and time of the incident/s	
Details of witness/witnesses	
Details of any documents available (Example: Messages, emails, letters etc)	

Details of any person/s contacted by aggrieved individual after the incident	
Any other relevant information/ comments	

Section 4: Additional Information

Section 5: Attestation

Name of the Aggrieved Individual:

Signature:

Name of the complainant (If applicable):

Signature:

Note: signature of complainant/ aggrieved person should be on every page of the complaint if made in writing)

Document History - Revision	Date	Description	Author	Approved By
1	16 th April 2018	Policy adopted	HR Team	Board
2	06 th November 2019	Adopted as a common policy at group level	HR Team	Board
3	10 th November 2021	<ul style="list-style-type: none"> • New committee details along with exclusive contact email address provided • Detailed explanation of scope and responsibility • Detailed section on the definitions of different parties involved in a POSH case and their representations (if any) • Workflow on Grievance Redressal for the employee to understand the working of a POSH case in a better manner Appendix containing formats to be used by internal committee for documentation	HR Team	Board
4	21 st March 2022	Change in composition of internal committee	HR Team	Board
5	27 th April 2022	<ul style="list-style-type: none"> • Policy extended to employees of Vivriti Asset Management Private Limited (“VAM”) • Details of external member of the Internal Complaints Committee (“ICC”) updated • Details of emergency number of ICC included 	HR Team	Board
6	09 th February 2023	Change in composition of internal committee	HR Team	Board
7	05 th August 2023	Updated the name of the company from Vivriti Capital Private limited to Vivriti Capital Limited in the policy	Compliance	Board
8	8 th February 2024	Change in composition of internal committee	HR Team	Board