

SEXUAL HARRASSMENT POLICY



PROSPER HOUSING FINANCE LIMITED (PHFL)

[Formerly: HBN Housing Finance Limited]

{REGISTERED WITH NATIONAL HOUSING BANK (NHB)}

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SEXUAL HARRASSMENT POLICY

POLICY FOR PREVENTION OF SEXUAL HARRASSMENT AT WORKPLACE:

1. OBJECTIVE

Prosper Housing Finance Limited (“PHFL”) is very scrupulous about the working environment at any of its office. PHFL strives to provide a professional work environment free of sexual harassment, exploitation and intimidation. PHFL also believes that all Employees (as defined hereinafter) have the right to be treated with dignity and respect.

The Objective of this policy is to provide the women Employees of PHFL a workplace, free from harassment/discrimination and ensure that every Employee is treated with dignity and respect. The Policy also endeavors to set the expectation regarding the workplace behavior, and provide Employees with a framework for reporting concerns.

2. SCOPE AND EFFECTIVE DATE

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

This Policy shall apply to all allegations of Sexual Harassment (as defined hereinafter) made by an Employee, against another Employee, occurring or having occurred within or outside the premises of PHFL, including allegations made by Employees on overseas programs and trainings and/or during the course of an Employee’s employment with PHFL. This Policy shall apply in respect of any act of Sexual Harassment which may have been committed in any place visited by any Employee, travel to such place having been occasioned by or arising out of, during or in the course of employment with PHFL. The Policy shall also apply to all allegations of Sexual Harassment made by a third party against an Employee or vice versa, if such Sexual Harassment has occurred within PHFL’s premises or during the course of such Employee’s employment with PHFL.

This Policy is not intended to impair or limit the right of any Employee seeking a remedy available under law. Proceedings under this Policy shall continue notwithstanding any proceedings initiated by a Complainant (as defined hereinafter) against an alleged perpetrator under any law in force.

3. DEFINITIONS

Aggrieved Woman – means a female Employee who has experienced or has been subjected to any act of Sexual Harassment by another Employee or a third party

Complaint – means a complaint of Sexual Harassment lodged with the Internal Committee

Complainant – means an aggrieved woman who lodges a Complaint with the Internal Committee

Employee(s) – means a person employed at 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;

Internal Committee – means the Internal Complaints Committee constituted by PHFL in accordance with the provisions of Section 4 of the Act for redressal of a Complaint;

Respondent – means a person against whom a Complaint is made by an Aggrieved Woman

Sexual Harassment - includes any one or more of the following unwelcome behavior (whether directly or by implication) namely:

- Physical Contact & advances; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or
- 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:

- Implied or explicit promise of preferential treatment in her employment; or
- Implied or explicit threat of detrimental treatment in her employment; or
- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment likely to affect her health or safety.

Sexual harassment in the workplace is generally of two distinct types.

(i) Quid Pro Quo (Conditional) Sexual Harassment

“Quid pro quo” sexual harassment means seeking sexual favors or advances in exchange for preferential treatment. This kind of sexual harassment occurs when consent to sexually explicit behavior or speech is made a condition for employment or preferential treatment in employment. This kind of sexual harassment also occurs when refusal to comply with a “request of sexual favour” is met with retaliatory action such as dismissal, demotion, difficult working conditions etc.

(ii) Hostile working environment sexual harassment

Hostile working environment sexual harassment occurs where employees in a workplace are subject to a pattern of exposure to unwanted and unwelcome sexual behavior from the management or co-workers. This kind of behavior makes the work environment of a woman employee hostile. This is for the reason that such conduct creates an intimidating, offensive, oppressive, abusive or humiliating work environment and which is severe and pervasive enough to interfere with her ability to work and perform.

Explanation of the word ‘**Unwelcome**’

Unwelcome is the key in defining what conduct constitutes sexual harassment. The conduct in question must have been *unwelcome*. In other words, the complaining woman employee must have found the behavior in question offensive, repulsive or repugnant. It is the impact and effect the behavior or conduct has on the recipient that will define the behavior as sexual harassment.

4. COMPLAINT REDRESSAL COMMITTEE

A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment.

The Chairman and Members of the Committee are as follows:

Chairperson -	Gurvir Kaur Sran (Female Member of PHFL cum Executive Director)
Member -	Harmeet Kaur Sran (Female Member of PHFL cum Director)
Member-	Brinderjeet Kaur Sran (Female Member of PHFL cum Managing Director)
Member -	Magandeep Singh (Independent Director)

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.

5. REDRESSAL PROCESS

- i. Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of incident.
- ii. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- iii. The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.
- iv. At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
- v. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/ her to give an explanation, where after, an “Enquiry” shall be conducted and concluded.
- vi. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- vii. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

6. ENQUIRY PROCES

- The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to resubmit a written explanation if she/he so desires within 7 days of receipt of the same.
- The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
- If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original

copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies

- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- The Committee shall complete the “Enquiry” within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the HOD-HR. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- The HOD-HR will direct appropriate action in accordance with the recommendation proposed by lie Committee.
- The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

7. OTHER POINTS TO BE CONSIDERED

- **The Company may recommend to the HOD-HR action which may include transfer or any of the other appropriate disciplinary action.**
- **The Management shall provide all necessary assistance for the purpose of ensuring full. Effective and speedy implementation of this policy.**
- **Where sexual harassment occurs as a result of an act or omission by any third party or outsider, PHFL shall take all steps necessary and responsible and reasonable to assist the affected person in terms of support and preventive action**
- **The Committee shall analyses and put up report on all complaints of this nature at the end of the year for submission to HOD-HR.**
- **In case the Committee find the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.**

8. CONCLUSION

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/discrimination and where every employees is treated with dignity and respect.

