



AAVAS FINANCIERS LIMITED VISHAKHA POLICY

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VISHAKHA: POLICY AGAINST SEXUAL HARASSMENT

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AAVAS FINANCIERS LIMITED VISHAKHA POLICY

Vishakha: Policy Against Sexual Harassment

As an employer AAVAS FINANCIERS LIMITED (“**Company**” or “**Aavas**”) is committed to prevent and deter the commission of acts of sexual harassment against women at workplace. **Aavas** promotes and recognizes the right of women to protect from sexual harassment and the right to work with dignity as enshrined under the Constitution of India and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

In terms of these commitments and the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“**the Act**”) and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (“**the Rules**”), **Aavas** has formulated and implemented a Policy for prevention of sexual harassment against women and redressal of complaints thereto (“**Policy**”).

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OBJECTIVES OF THE POLICY

- a) To develop and implement a policy against sexual harassment of women at the work place.
- b) To uphold women's right to protection against sexual harassment and the right to livelihood.
- c) To evolve a permanent mechanism for the prevention, prohibition and redressal of acts of sexual harassment of women.
- d) To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of women.
- e) To ensure the implementation of the policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.

1. SCOPE OF THE POLICY

This Policy applies to all categories of employees of the Company, including Full time Employees, Temporary Workers, Trainees, Contractual Workers, Housekeeping & Security, Trainees and Interns at their workplace or at client sites. . The Policy is deemed to be incorporated in the service conditions of all employees and comes into effect immediately and extends to all branches and offices of the Company across India.

2. DEFINITIONS

- a) **"Aggrieved Woman"** shall have the meaning assigned under Section 2(a) of the Act.
- b) **"Respondent"** means the person against whom the aggrieved woman has made a complaint.
- c) **"Employee"** shall have the meaning assigned under Section 2(f) of the Act.
- d) **"Workplace"** shall have the meaning assigned under Section 2(o) of the Act and shall include all offices, branches 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;

3. DUTIES OF THE COMPANY

The Company shall:

- a) Provide safe working environment for at workplace for women which shall include safety from the persons coming into contact at the workplace
- b) Display, at any conspicuous place in the workplace, consequences of sexual harassment, this Policy constituting the Committee;
- c) Organise and create awareness programmes at regular intervals among employees regarding sexual harassment;
- d) Support to woman employee/employees who have made complaint against any employee;
- e) Provide necessary facilities to the Committee for dealing with the complaint and conducting an investigation;
- f) Assist in securing the attendance of respondent and witnesses before the Committee;
- g) Make available such information to the Committee as it may require having regard to the complaint made;
- h) Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code, 1860 or any other law for the time being in force;
- i) Cause to initiate action, under the Indian Penal Code, 1860 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;
- j) Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- k) Monitor the timely submission of reports by the Committee.

4. SEXUAL HARASSMENT

4.1. Sexual harassment would mean and include any one or more of the following unwelcome acts or sexually determined behavior (whether directly or by implication):

- a) physical contact and advances; or
- b) a demand or request for sexual favours; or.
- c) Making sexually colored remarks; or.
- d) showing pornography; or

any other unwelcome physical, verbal or non-verbal conduct of sexual nature including but not limited to sexually oriented jokes, messages, letters, phone calls, e-mails etc.

4.2. 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:

- a) implied or explicit promise of preferential treatment in her employment; or
- b) implied or explicit threat of detrimental treatment in her employment; or
- c) implied or explicit threat about her present or future employment status; or
- d) interference with her work or creating an intimidating or offensive or hostile
- e) work environment for her; or
- f) Humiliating treatment likely to affect her health or safety.

5. VISHAKA COMMITTEE & MEMBERS:

5.1. The Company, in compliance with the Act, shall constitute an internal complaints committee at offices by the name of '*Vishaka Committee*' (the "**Committee**") for redressal of complaints of sexual harassment and for ensuring time bound treatment of such complaints.(Schedule I)

5.2. The Committee shall comprise of the following members out of which at least one-half of the total Members so nominated shall be women.:

- a) Presiding Officer, who shall be a woman employed at senior level with the Company at the particular office;
- b) to prevent the possibility of any undue pressure or influence from senior levels, one member from non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment; and
- c) two or more employees to be nominated by the Company as members preferably committed to the cause of women or who have had experience in social work or have legal knowledge.

Provided, in case a senior level woman employee is not available at a particular office, the Presiding Officer shall be nominated from other offices of the Company.

5.3. The Committee is responsible for:

- a) Investigating every formal complaint of sexual harassment;
- b) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment including anonymous complaints by victim;
- c) Discouraging and preventing employment-related sexual harassment;
- d) Holding a formal meeting with the complainant to discuss the allegations of sexual harassment;
- e) The Committee shall meet on a quarterly basis or as and when required.
- f) Arranging individual interviews with the relevant witnesses(if any);
- g) Ensuring that the right of the Complainant and the witness to be accompanied by a work colleague at any meeting is duly exercised;
- h) Establishing the facts of the complaint, obtaining statements of the parties and the witnesses and collecting documentary evidence, if any;
- i) Maintaining detailed records of the investigation process;
- j) Initiating new investigation, if necessary;
- k) Ensuring a fair investigation is being carried out;

- l) Monitoring the investigation process to ensure confidentiality as per the terms of this Policy; and
 - m) Passing a fair decision upon completion of the investigation.
- 5.4. The Committee, for the purpose of conducting an investigation and granting relief to the Complainant, shall have such power as provided under the Act.
- 5.5. The presiding officer and every member of the Committee, subject to the provisions of the Act, shall hold office for a period of three years from the date of their nomination by the Company.
- 5.6. The fee/allowance of the member appointed from the non-governmental organizations or associations, as prescribed under the Rules, for holding the proceedings of the Committee shall be paid by the Company.
- 5.7. The complaint by aggrieved woman should be made to the Committee, in the manner provided in the Act and the Rules made thereunder, within three months of incidence of sexual harassment and in case of a series of incidence of sexual harassment within three months from the date of last incidence. Provided that the Committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

6. COMPLAINT OF SEXUAL HARASSMENT

- 6.1. Any aggrieved woman may raise her concerns orally or in writing before the Committee and/or its members. Company allow aggrieved woman to raise anonymous complaint and investigate complaints, accordingly. The complaints, in writing, may be sent to the Committee or to the email address "vishaka@aavas.in" and shall, wherever possible, include the following details:
- a) the background of harassment/incidence/incidences;
 - b) the nature/ type of the harassment;
 - c) the relevant dates, if possible;
 - d) the names of individuals against whom the allegations of sexual harassment are being made through the complaint; and
 - e) Evidence of sexual harassment, if any.

- 6.2. In addition to the above reporting channel, an aggrieved woman may also submit a complaint through **SHe-Box (Sexual Harassment electronic Box)** portal, as applicable (Government portal). Where the Company receives any complaint forwarded through the SHe-Box portal or any other competent authority, the committee shall process and inquire into the complaint in accordance with the provisions of the POSH Act and the Rules made thereunder.
- 6.3. The Committee shall allow any person to make a complaint of sexual harassment on behalf of the aggrieved women in accordance with the Act and the Rules made thereunder.

7. UNTRUE ALLEGATIONS

Upon investigation after receiving a complaint, if the Committee finds the complaint to be unjustified, no action will be taken against an employee of the Company if the concern was raised in good faith. However, the complaints which are found to have been raised frivolously, mischievously or maliciously or for personal gain may result in disciplinary action being taken against the complainant. The employee shall take reasonable care of ensuring the accuracy of the information disclosed in the complaint.

8. CONFIDENTIALITY

Aavas 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 aggrieved woman, the respondent and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances and **Aavas** shall treat all disclosures made in the complaint, orally or in writing, as confidential and sensitive as per the provisions of the Act.

However, information may be disseminated regarding justice secured to any victim of sexual harassment without disclosing the name, address identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

9. INVESTIGATION

- 9.1. The person making a complaint (the “**Complainant**”) shall submit to the Committee, six copies of the complaint along with supporting documents and name and address of the witnesses. In case, the complaint has been made orally, the Committee shall reduce in writing, the allegations of sexual harassment along with other necessary details in the presence of the Complainant and the same shall be treated as a complaint made by the Complainant.
- 9.2. On receipt of the complaint, the Committee shall send one copy of the complaint to the person against whom such complaint has been made (the “**Respondent**”) within a period of seven working days.
- 9.3. The Respondent shall file his reply to the complaint along with his list of documents, and name and addresses of witnesses, within a period of 10 working days from the date of receipt of the copy of the complaint.
- 9.4. The Committee may, before initiating an inquiry and at the request of the aggrieved woman, take measures to settle the matter between her and Respondent through conciliation as per the provisions of the Act and the Rules made thereunder.
- 9.5. The Committee shall make inquiry into the complaint in accordance with the procedure laid down the Act and the Rules made thereunder and the principles of natural justice.
- 9.6. The Committee shall provide every reasonable opportunity to the Complainant and the Respondent, for putting forward and defending their respective case.
- 9.7. If the Complainant or the Respondent desires to tender any documents by way of evidence before the Committee, they shall supply original copies of such documents. Both shall affix his/ her signature on the respective documents to certify these to be original copies.
- 9.8. The Committee shall complete the inquiry within reasonable period but not beyond 90 days and communicate its findings and its recommendations for action to the Employer.
- 9.9. The Employer shall direct appropriate action in accordance with the recommendation proposed by the Committee.

- 9.10. Where such conduct on the part of the accused amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- 9.11. In case of any complaints regarding the Chief Operation Officer/Chief Executive Officer of the company, the Committee would have the authority to take the matter directly to the Management committee consisting of WTD, CFO and head of HR.
- 9.12. 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 and the Committee shall recommend that no action is required to be taken.
- 9.13. The constitution of and investigation by the Committee shall be governed by provisions of the Act and the Rules made thereunder or any other law for the time being in force.

10. RECOMMENDATIONS BY THE COMMITTEE

Where the Committee arrives at a conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer, to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increment, terminating the Respondent from service or undergoing a counselling session or carrying out community service.

11. ANNUAL REPORT

The Committee shall in each calendar year prepare an annual report as compliance with the provisions of the Act and the Rules made thereunder, including *inter alia* the no. of complaints of sexual harassment received in the relevant year and the no. of complaints disposed off during the relevant year. The Committee shall submit the annual report to the Company and the District Officer appointed under the Act.

12. RESPONSIBILITIES OF THE WITNESSES

Where, during the investigation, certain witness(es) has been called by the Complainant or the person against whom complaint is made, it shall be the responsibility of the Committee to inform such witness(es) in writing:

- a) The details of the allegations under investigation;
- b) The manner in which the investigation will be conducted;
- c) The right of a witness to be accompanied by a work colleague;
- d) The details of **Aavas** Member support mechanisms.

13. DEALING WITH THE OUTCOME OF AN INVESTIGATION

13.1 The aim of this Policy is to provide female employees of **Aavas**, a workplace free from harassment/ discrimination and assure that their concerns are properly addressed by the Company and required actions are taken against the respondents if found guilty, as permissible in laws. Further, Subject to any legal constraints under any law for the time being in force, the Company will normally inform the Complainant of the outcome of the investigation, any action taken and their right of appeal.

13.2 The Company, if required, will also provide support, counseling or mediation to the Complainant and the Respondent in order to ensure that normal working relationships are resumed as effectively as possible.

13.3 If the Complainant is dissatisfied with the outcome of the investigations, she may remake the complaint, outlining her dissatisfaction with the original finding to the presiding officer of the Committee.

14. Aavas INITIATIVE

The employees of the Company are entitled to raise issues relating to sexual harassment at a workers' meeting and/or other appropriate forum and it should be affirmatively discussed in the employer-employee meetings.

SCHEDULE I

Head Office (H.O.) Level - Committee

The constitution of Internal Complaint Committee shall be as follows:

1. Presiding Officer shall be senior level women employee employed by the Company at workplace (In case senior level woman employees is not available at any office then presiding officer from any other office be nominated as presiding officer of that location)
2. One member shall be a women member from NGO or other association committed to cause of women or a person familiar with issues relating to sexual harassment.
3. 2 or more other employees of Company shall also be member amongst employees committed to cause of women or having social work /legal knowledge.

Branch/Office Level - Committee

The constitution of Internal Complaint Committee shall be as follows:

1. Presiding Officer shall be senior level women employee employed by the Company and she shall be the Presiding officer of H.O. Level committee
2. One member shall be a women member from NGO or other association committed to the cause of women or a person familiar with issues relating to sexual harassment. Woman member from NGO/Other association at Branch/office level committee shall be from H.O. Level committee.
3. 1 employee from Branch and 1 employee from H.O. shall be the member amongst employees who are committed to cause of women or having social work /legal knowledge.

Appointment, Removal and terms of committee shall be decided by the Board. The Constitution of committee members will be reviewed every 3 year by the Company.