

WHISTLE BLOWER POLICY

1.0 INTRODUCTION

Kamal Fincap Pvt Ltd believes that good communication between staff at all levels throughout the organization promotes better work practice. We seek to conduct ourselves honestly and with integrity at all times. However, we have acknowledged that our organization faces the risk of activities going wrong from time to time, or of unknowingly harboring malpractice. We believe we have a duty to take appropriate measures to identify such situations and attempt to remedy them. On this basis, staff and customers alike are encouraged to raise genuine concerns about malpractice in the workplace without fear of reprisals; we protect them from victimization and dismissal.

2.0 AUTHORITY FOR WHISTLE BLOWER POLICY

Overall authority for this policy sits with the Head of Human Resources. However, all the Managers have a specific responsibility to facilitate the operation of this policy and to ensure that staff and volunteers feel able to raise concerns, without fear of reprisals, in accordance with the procedure set down below. Each member of the staff is responsible for the success of this policy and should ensure that they take steps to disclose any wrongdoing or malpractice of which they become aware.

1.0 PROCEDURE FOR RAISING A CONCERN

If you believe that the actions of any employee working in the organization constitutes any malpractice or wrongdoing then you should take the following steps:-

- (i) Examine and verify your concern to the best of your ability to ensure you do not make a frivolous complaint.
- (ii) Once satisfied about the genuineness of your concern, immediately raise the matter to your reporting manager.
- (iii) If you suspect the reporting manager is involved in the alleged malpractice or he is not responsive to your complaint, then bring the matter directly to the attention of the Head (Human Resources).
- (iv) Mrs. Richa Trivedi, Head- HR (Human Resources), sits at the organization's head office at Kota and can be reached at hr@kamalfincap.com.
- (v) You may raise your concerns either verbally or in writing and should include full details and, if possible, supporting evidence.

2.0 CONFIDENTIALITY

All employees are hereby assured that while dealing with any complaint, every effort would be made to keep the identity of the complainant strictly confidential and care would be taken to ensure that the complainant is not victimized in any manner.

If it is necessary for the complainant to participate in an investigation, the fact that you made the original disclosure will, so far as is reasonably practicable, be kept confidential during the course of the investigation.

In rare cases, where it may be necessary to disclose the identity of the complainant to proceed with the investigation and/or legal action, then the consent of the complainant would be sought before proceeding further.

5.0 SUPPORTS FOR WHISTLE BLOWERS

If you believe that you are being subjected to harm within the workplace as a result of raising concerns under this procedure, then inform Head (Human Resources) immediately. Employees who victimize or retaliate against those who have raised concerns under this policy will be subjected to immediate disciplinary action.

6.0 HOW A DISCLOSURE WILL BE HANDLED

- 6.1 The Head of (Human Resources) will get in touch with you to acknowledge your complaint and confirm that the same is being investigated.
- 6.2 The Head Human Resources will call a committee to oversee the complaint and investigation thereof. The committee should consist of at least three members as follows:
 - (a) The Head Human Resources
 - (b) Any two of the following – the Manager (Internal Audit), the senior operations managers (of the rank of D.R.M. or above), any board member
 - (c) Care should be taken to ensure that no member of the committee is junior to the employee against whom the malpractice has been alleged.
- 6.3 The Committee so constituted shall take steps to independently verify the complaint.
- 6.4 On being satisfied about the veracity of the complaint and depending upon the severity of the malpractice, the Committee will take a vote to either initiate disciplinary action against the employee(s) concerned or to launch a formal investigation with a view to take harsh measures (including possible criminal action or police complaint) against the said employee(s).
- 6.5 The Committee will inform the complainant if a referral to an external authority is proposed to be made.
- 6.6 The Committee will also propose and implement changes to ensure that similar malpractices are not repeated in the future.
- 6.7 Upon conclusion of the investigation / disciplinary action, the Manager (Human Resource) will inform the complainant of the same and will share the details of the action taken, to the extent possible.

7.0 FALSE DISCLOSURES

We will treat all disclosures of malpractice seriously and protect staff who raise concerns in good faith. However, the Whistleblower Policy must not become a tool to settle personal grudges or vendettas. Accordingly, appropriate disciplinary action will be taken against any employee who is found to have made a disclosure maliciously or in bad faith or without reasonable grounds for believing that the information supplied was accurate.

Workplace Anti-Harassment policy (POSH)

A Workplace Harassment Policy may also be referred to as an **Anti-Harassment, Employee Harassment, Sexual Harassment** or **Racial Harassment Policy**.

Policy brief & purpose

Our anti-harassment policy expresses our commitment to maintain a workplace that's free of harassment, so our employees can feel safe and happy. We will not tolerate anyone intimidating, humiliating or sabotaging others in our workplace. We also prohibit wilful discrimination based on [*age, sexual orientation, ethnicity, racial, religion or disability.*]

Scope

This workplace harassment policy applies to all employees of Kamal FincapPvt Ltd

Types of Harassments

1. Mental Harassments – mental torcher to an employee regarding any work or personal related thing.
2. Physical Harassments – fight , slap , hitting etc
3. Sexual Harassments – explained below in a policy

Policy elements

What is the definition of harassment in the workplace?

Harassment includes bullying, intimidation, direct insults, malicious gossip and victimization.

- Sabotage someone's work on purpose.
- Not speaking politely to any staff.
- Comment on a person's ethnic heritage or religious beliefs.
- Starting or spreading rumors about a person's personal life.
- Insult someone in front of others or singling them out to perform tasks unrelated to their job against their will.
 - Force fully asked to work late after the working hours are over.

How to address harassment

If you're being harassed, whether by a colleague, customer or vendor, you can choose to talk to any of these people:

- **Offender.** If you suspect that an offender doesn't realize they are guilty of harassment, you could talk to them directly in an effort to resolve the issue. This tactic is appropriate for cases of minor harassment (e.g. inappropriate jokes between colleagues.) Avoid using this approach with customers or stakeholders.
- **Your Manager.** If customers, stakeholders or team members are involved in your claim, you may reach out to your manager. Your manager will assess your situation and may contact HR if appropriate.
- **HR.** Feel free to reach out to HR in any case of harassment no matter how minor it may seem. For your safety, contact HR as soon as possible in cases of serious harassment (e.g. sexual advances) or if your manager is involved in your claim. Anything you disclose will remain confidential.

Disciplinary Consequences

Punishment for harassment depends on the severity of the offence and may include counseling, reprimands, suspensions or [termination](#).

Sexual Harassment Policy

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

I. COMMITMENT:

Our Company is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of work area.

The Company will not tolerate any form of harassment /sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

II. SCOPE:

This policy applies to all employees (full-time, part-time, trainees and those on contractual assignments) of the Company including all subsidiaries and affiliated companies at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by employees or any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

III. DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual Harassment at the workplace includes:

1. unwelcome sexual advances (verbal, written or physical),
2. demand or request for sexual favours,
3. any other type of sexually-oriented conduct,
4. verbal abuse or 'joking' that is sex-oriented,
5. any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct .

IV. 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 work environment free from sexual harassment.

V. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of “**Complaints Committee**” has been created in the Company for time-bound redressal of the complaint made by the victim.

VI. COMPLAINTS COMMITTEE:

The Company has instituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Complaints Committee will comprise of the following three members:

1. MrsNidhiKasliwal – Managing Director
2. MrsRicha Trivedi – Head HR
3. Mr. Rajesh Jha – Audit Manager

The Complaints 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

VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

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 their disapproval and objections immediately to the harasser and request the harasser to behave decently.

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

B. Complaints:

1. 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 Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in 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 Complaints Committee can extend the timeline for filing the complaint, for reasons to be recorded in writing, by a period of 3 months. Alternately, the employee can send complaint through an email. The employee is required to disclose their name, department, division and location they are working in, to enable the committee member to contact them and take the matter forward.
2. The Complaints 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.
3. If the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation.
4. 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.
5. The Complaints Committee shall conduct such investigations in a timely manner and decide the corrective action to be taken on mutual discussion.

Corrective action may include any of the following:

- a. Formal apology
 - b. Counseling
Written warning to the perpetrator and a copy of it maintained in the employee's file.
 - c. Change of work assignment / transfer for either the perpetrator or the victim.
 - d. Suspension or termination of services of the employee found guilty of the offence
6. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

VIII. 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 investigatory process to the extent practicable and appropriate under the circumstances.

IX. REPORTS AND DOCUMENTS:

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

X. 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.

XI. CONCLUSION:

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