

# **POLICY FOR PREVENTION and REDRESSAL OF SEXUAL HARASSMENT [POSH]**

Aditya Birla Capital Limited

## Table of Content

<b>Particulars</b>	<b>Pg. No.</b>
Document Owner, Version Control & Review Process	3
Preamble	3
Applicability	3
Definitions/ Abbreviations/ Authorities	3
Functioning of ABC IC	6
Procedure for filing a Complaint	6
Process to be followed by the ABC IC on the receipt of Complaint	6
Appeal	7
Guidelines for Conciliation	8
Miscellaneous Guidelines	8
Process and Guidelines for Cases where the RP is not on rolls of ABCL.	9
Annexure – 1	10
Annexure – 2	11
Annexure – 3	12
Annexure – 4	13

Particulars	Details
Version Control	This version dated January 1, 2025 is the POLICY FOR PREVENTION and REDRESSAL OF SEXUAL HARASSMENT [POSH] of Aditya Birla Capital Ltd. The Policy may be reviewed/modified if warranted by changing regulatory requirements.
Version No.	ABCL/01/04/25/ABCL-022
Document owner(s)	Head – HR Operations and Shared Services
Process for any modification/revision	Any modifications/revisions in this document shall be approved by Head – HR Operations and Shared Services

Circular	Issue Date
-	-

## 1. Preamble

Aditya Birla Capital Limited (hereinafter referred to as ABCL) is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. We at ABCL are also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

At ABCL we do not tolerate any form of sexual harassment and are committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment. We at ABCL are committed to giving every employee a just and fair hearing on issues that are raised on complaints of Sexual Harassment. ABCL will take disciplinary action against any victimisation of the Complainant or the Respondent that may result from a Complaint.

## 2. Applicability

2.1. The policy pertaining to Prevention and Redressal of Sexual Harassment (herein after referred to as ABC POSH Policy) is applicable to all “employees “of ABCL and its subsidiaries. Employee includes regular, temporary, ad hoc, daily wage employees and person who are working on voluntary basis i.e. without remuneration. The term also includes contract workers, probationers and trainees.

2.2. The policy is in line with the provisions under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as POSH Act) and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal)

## 3. Definitions/ Abbreviations/ Authorities

3.1. In this Policy document, the words and expressions listed below shall have the following meaning: -

3.1.1. **AW- Aggrieved Women:** Refers to any woman “employee” who has lodged complaint of sexual harassment at workplace and need not be an employee of ABCL.

3.1.2. **RP- Respondent Person:** Refers to any ‘employee’ (as defined in clause 3.1.4) against whom the complaint has been lodged by AW.

3.1.3. **Workplace-** includes all offices and branches in India. It also includes any place visited or arising

out of or during the course of employment/work including transportation provided by ABCL for undertaking the journey.

**3.1.4. Employee-** The word “employee” used herein is to be strictly interpreted in terms of and provisions of the POSH Act. Thus for the purpose of this policy, “Employee” means a person on the rolls of ABCL which also include any person who are temporary or part time or honorary employees, by whatever name called and would include persons engaged on a casual basis or for project based assignments and / or persons who are engaged through any third-party service providers. This broad definition of “Employee” used for the purpose of this policy cannot be used to claim rights of an employee conferred by any other law of the land.

**3.1.5. Group IC-** Group level committee will receive and inquire complaints related to sexual harassment received by or against employees in senior management (members of core management team excluding board of directors and normally will comprise unit head, CXOs, company secretary, BD/BH etc.). In addition, it will also carry out process rigor validation for intermediation cases filed by complainants not satisfied with the inquiry done by the BU IC or ABC IC.

**3.2. Sexual Harassment-** The definition of sexual harassment will be as defined in section 2 (n) of POSH Act as represented below

**3.2.1. “Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: -

3.2.1.1. Physical contact and advances; or

3.2.1.2. A demand or request for sexual favors; or

3.2.1.3. Making sexually colored remarks; or

3.2.1.4. Showing pornography; or

3.2.1.5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

3.2.2. The following circumstances, along with other circumstances, if it occurs, or is present, in relation to or connected with any act or behavior of sexual harassment (as defined and enumerated in clause 3.2.1) will also amount to sexual harassment:

3.2.2.1. Implied or explicit promise of preferential treatment in her employment

3.2.2.2. Implied or explicit threat of detrimental treatment in her employment;

3.2.2.3. Implied or explicit threat about her present or future employment status;

3.2.2.4. Interference with her work or creating an intimidating or offensive or hostile work environment for her;

3.2.2.5. Humiliating treatment likely to affect her health and safety.

3.2.3. The scope of sexual harassment also includes “Third Party Harassment”. Third party Harassment is defined as when sexual harassment occurs by a third party (not an employee of the organization) - for example an employee of a business partner employee or a client or a vendor or a consultant or any other person that the employee is interacting with for work purposes. In this case the employer and the person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

**3.3. Appropriate Authority:** - This would mean the following committees being constituted under this policy, who will work independently on all complains refereed under this policy.

3.3.1. ABCL Prevention and Redressal of Sexual Harassment Committee - (hereinafter referred to as "ABC Internal Committee "(ABC IC). The ABC IC is a forum constituted by the Chief Executive of ABCL. The ABC IC would be headed by a Senior Women Employee who is on the rolls of any of the business units of ABC or its subsidiaries and would be designated as the "Presiding Officer" of the ABC IC. Besides the above, an external nominee, referred to as External Committee Member (hereinafter referred to as - ECM ) would be appointed as a member of the ABC IC, who would be either from a non-governmental organization or associations committed to the cause of women or a person familiar with Labour, Services, Civil or Criminal laws. The ECM would be nominated by the Presiding Officer. The ECM so appointed shall be entitled to remuneration (including the cost of travel), which will be decided by the Presiding officer.

3.3.2. **Internal Committee at Business Unit Level** (hereinafter called as "BU IC") – Similar committees using the ABC IC guidelines would be constituted at the Business Unit (hereinafter referred as "BU") level by the CEOs of the individual BU. The BU IC would be headed by a senior women employee who is on the rolls of the said BU and who would be designated as the "Presiding Officer" of the BU IC.

3.3.2.1. In case there are no senior women employees and not enough women to constitute half the quorum in a particular BU, then any other BU can be leveraged for the same. An IC of a BU can do dual responsibility for 2 or more BUs simultaneously. The said nomination has to be ratified by the respective boards of the BU. This would be the responsibility of the respective HR Heads of the BU.

3.3.2.2. Every BU IC will have a representation from the ABC IC. One or two members from the ABC IC will be part of all BU IC. 3.3.2.3. All communication to BU IC will be tagged to ABC IC.

3.3.3. At least one half of the total members of ABC IC or BU IC [minimum members 5] so nominated shall be women.

3.3.4. The criteria for selection of the Presiding Officer of ABC IC or the BU IC will be as follows: -

3.3.4.1. The Presiding officer should be at-least at JB 5/6 or above. The members in BU IC can be from JB 8 and above. The Presiding officer should be a female.

3.3.4.2. She should have a high level of credibility within the organization.

3.3.4.3. She should display high levels of engagement and organizational awareness.

3.3.4.4. She should be approachable, honest, trustworthy and forthright.

3.3.4.5. She should be able to put forth her point of view without getting intimidated.

3.3.5. Criteria for Selection of ECM to be part of the ABC IC or the BU IC will be the following: -

3.3.5.1. The NGO / external body should be familiar and well-versed with matters of Redressal pertaining to sexual harassment.

3.3.5.2. The NGO / external body should have a high level of credibility and not to be one which is funded by ABG/ ABC to avoid conflict of interest.

3.3.5.3. There should be no conflict of interest, whatsoever, with the selected ECM.

3.3.6. Tenure of ABC IC or the BU IC

3.3.6.1. Every member of the ABC IC or the BU IC shall hold office for a period not exceeding three years, from the date of their nomination.

3.3.6.2. After 3 years of functioning, 1/3rd of the members of the Committee will retire each year to help maintain continuity and bring fresh and unbiased perspectives.

3.3.6.3. This is however not applicable to CHRO, Business Unit HR Head who are a part of the Committee. The retirement rule also does not apply to the Presiding Officer (senior women employee) of ABC IC or BU IC in case there is no successor.

3.3.7. The names of the ABC IC members will be circulated to all the employees of ABCL as per the format in Annexure 1

## 4. Functioning of ABC IC

4.1. ABC IC will conduct an inquiry on any sexual harassment complaint raised by any AW of ABCL. If the complaint is against an IC member, then the concerned IC member will not be part of the committee conducting the inquiry.

## 5. Procedure for filing a Complaint

5.1. In the event of occurrence of circumstances under this policy, the AW can lodge a complaint to the Appropriate Authority through an electronic mail. At the time of filing the complaint, AW shall submit to the ABC IC with supporting documents and names and addresses of witnesses, if any. If the supporting documents cannot be sent as an attachment to the mail, then the AW can keep such documents till such times ABC IC seeks the same from her. The details of the e mail id where the electronic mail can be sent are in Annexure 1 of the policy document or as communicated from time to time.

5.2. The AW can also lodge a complaint to the Appropriate Authority in writing with all supporting documents if any. The details of the address where the complaint can be sent through postal mail are given in Annexure 1 of the policy document or as communicated from time to time.

5.3. The complaint should be made by AW within a period of three months from the date of occurrence of the incident and in case of a series of incidents, within a period of three months from the date of the last incident.

5.3.1. The ABC IC may, for the reasons to be recorded in writing, extend the time limit for making a complaint by three months, if they are satisfied that the circumstances were such which prevented the AW from filing a complaint within the said period. The decision of the ABC IC will be final and binding in such cases.

## 6. Process to be followed by the ABC IC on the receipt of Complaint.

6.1. On receipt of the complaint, the ABC IC would initiate preliminary inquiry to evaluate if there is a prima facie case or not.

6.2. The ABC IC will work towards ensuring that the inquiry is completed by following the principles of natural justice. The procedure to be followed for completing the inquiry is annexed hereto as Annexure 2. The ABC IC shall keep in mind that the AW is not subject to inquiry more than once. However, if the case complexity requires that the AW has to be called for more than once for inquiry, then utmost sensitivity should be displayed, and adequate protection should be taken to ensure that there is no loss of dignity to the AW.

6.3. Under no circumstances, the committee would reveal / disclose the identity of the "AW" and "RP" to anyone else (including the immediate manager) - other than all those who are required to know about the case.

6.4. Post establishing a prima facie case, the ABC IC will seek explanation in writing from RP after providing him the copy of the complaint.

6.5. Suitable action could also be recommended against employees who abetted the misconduct knowingly. Suitable action would be initiated against employees who were “in the know” but did not highlight the same.

6.6. Post receipt of the reply from RP, the ABC IC may, before initiating an inquiry and at the request of the AW take steps to settle matter between the AW and the RP, through conciliation (done internally between the AW and RP), provided that no monetary settlement shall be made as a basis of conciliation. Should the conciliation as step is not agreed by the AW, then the ABC IC will initiate the inquiry proceedings.

6.7 If the conciliation fails, or if AW or RP insist for inquiry, then the ABC IC will initiate the inquiry proceedings.

6.8. On the conclusion of the inquiry if the RP is found guilty, the ABC IC will recommend the quantum of punishment to be given 6.8.1. The quantum of punishment as the case maybe can be either a warning, written apology, reprimand or censure, withholding of promotion, withholding of pay rise or increments, termination or undergoing a counselling session or carrying out community service, which will get decided by the ABC IC basis the following:-

6.8.1.1. Severity of the misconduct

6.8.1.2. Past precedence of treating similar violations

6.9. The ABC IC will submit its report and recommendations post completion of the inquiry to the CHRO / Unit HR-Head as the case may be. The decision of ABC IC along with observations / recommendations will be final and binding. The CHRO / Unit HR-Head will need to implement the recommendations within 60 days of receiving the report from the ABC IC. While implementing the order, the management will ensure that the name of the AW, RP and any other employee/s are kept confidential at all times. Suitable action to be recommended by ABC IC for any violation of confidentiality as mentioned above.

6.10. The CHRO/ Unit HR -Head will send a closure report to the ABC IC after the recommendations have been implemented. Format for the same is as per Annexure 3.

6.11. The ABC Presiding officer with the help of ABC Talent Head will send a quarterly update, comprising the status of the complaints received to the OE team at the group level. The template for the quarterly updates is given in Annexure 3. The names of the AW or RP has to be kept confidential at all times.

## 7. Appeal

7.1. In the event that AW / RP is aggrieved with the recommendations made by the BU IC/ ABC IC, the AW / RP may appeal, she/he may request for intermediation to the Group IC by highlighting any one or more reasons:

7.1.1. I was not given opportunity to present my case fairly, accurately, freely.

7.1.2. I am not satisfied with the inquiry done

7.1.3. I am not satisfied with the inquiry outcome

7.1.4. Any other reason, please specify The Group IC on receiving the intermediation request shall review the inquiry report, understand the fairness and objectivity of the inquiry process and interpret all the submitted material. Post this, it will prepare intermediation findings and share it with appropriate Management. The decision of the Group IC will be final and binding on all parties concerned.

## 8. Guidelines for Conciliation

8.1. Where a settlement has been arrived during conciliation (done internally between the AW and RP), the ABC IC shall record the settlement so arrived.

8.2. No further inquiry shall be conducted by the ABC IC post conciliation

8.3. However, if the terms arrived during conciliation has not been complied with by the RP, the ABC IC shall proceed to make an inquiry into the complaint.

8.4. The copies of the settlement as recorded during conciliation shall be provided to both the parties.

## 9. Miscellaneous Guidelines

9.1. In case of a situation, where the AW is reporting to the RP then, till the final decision is taken, the ABC IC will direct the Unit HR Head to ensure that the RP has no say in the performance appraisal rating of the AW.

9.1.1. The rating in such a case shall be done by the 2nd level supervisor of the RP in consultation with the concerned Unit HR Head.

9.2. Where the AW is unable to make a complaint on account of her death or otherwise, her legal heir may make a complaint to ABC IC.

9.3. The ABC IC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the AW or RP fails (as the case may be) to be present for three (3) consecutive hearings without giving a sufficient cause.

9.3.1. The ABC IC before passing such a decision has to give a notice in writing of fifteen (15) days in advance to the concerned parties (RP or AW).

9.4. During the pendency of an inquiry, on a written request by the AW, the ABC IC may recommend any one of the following

9.4.1. Transfer the AW/RP to any other branch or location or department. OR

9.4.2. Grant leave to the AW on a case-to-case basis but not exceeding three (3) months. This leave would be over and above the normal eligibility of the AW as per her Privilege Leave entitlement. OR

9.4.3. Grant any other relief to AW, which the ABC IC may feel necessary.

9.5. Where the ABC IC arrives at a conclusion that the allegation against the RP is malicious or the AW has made the complaint knowing it to be false or the AW has produced forged or misleading documents, it may recommend to the CHRO / Unit HR Head to take action against the AW as per clause 6.8.

9.6. Merely an inability on part of the AW to substantiate a complaint or provide adequate proof need not attract action against the AW.

9.7. No party shall be allowed to bring in any legal practioner to represent them in their case at any stage of the proceedings before the ABC IC.



9.8. If the ABC IC arrives at the conclusion that during the inquiry, any witness/es has given false evidence or produced any forged or misleading documents, it may recommend to the CHRO/ Unit HR Head to take suitable action against the witness/es.

9.9. AW or RP or the ABC IC is not allowed to disclose any information relating to conciliation and inquiry proceedings, recommendations of the ABC IC and/ or the action taken by the employer shall not be published or communicated or made known to the public, press and media in any manner. Suitable action will be initiated against AW or RP should there be such a violation.

9.10. Records and documents on proceedings of ABC IC will be stored for a minimum of five years from the date of commencement of the complaint, irrespective of the fact, whether the AW/RP are in the job or have moved on from the organization.

## 10. Process and Guidelines for Cases where the RP is not on rolls of ABCL.

10.1. With regard to a complaint by the AW (who is on the rolls of our company) against an RP who is not on rolls of ABCL but is on the rolls of a business partner or a client or a vendor or a consultant, the ABC IC would forward the complaint to the IC of the concerned business partner or client or vendor or the consultant or the organization / institution to which RP belongs (as the case maybe) to inquire into the complaint received and complete the inquiry with final inquiry report with recommendations to be shared with the AW. In the absence of IC of a Business partner or a client or a vendor or a consultant, then the steps pertaining to clause 10.2 would be applicable.

10.2. In cases where the RP is an independent consultant or person (not limited to customer) and is not affiliated to any organization / institution, the ABC IC will support the AW (who is on rolls of our company) to initiate complaint against RP in Local Complaints Committee (LCC) as appointed by the concerned district authority or support the AW (who is on rolls of our company) basis her intent to lodge a complaint in police station under the Indian Penal Code or any other law at the time being in force.

## Annexure - 1

### Notice to All Employees

Dear All, We at Aditya Birla Capital Limited are committed in providing a safe and healthy work environment to all our employees We at ABCL has we reviewed our policy on Prevention and Redressal of Sexual Harassment incorporating the recent amendments in applicable laws. The revised policy is uploaded on “Lets Connect” and HRMS You all are requested to go through this and update yourself. The ABC Internal Committee (IC) is also reconstituted and is as below: -

### **Members of the ABC Posh**

Sr. No.	Name	Designation	Email
1	Ms. /Mr. _____	Presiding Officer	BSHCC.finservices@adityabirlacapital.com
2	Ms. /Mr. _____	External Member	
3	Ms. /Mr. _____	External Member	
4	Ms. /Mr. _____	Member	
5	Ms. /Mr. _____	Member	
6	Ms. /Mr. _____	Member	
7	Ms. /Mr. _____	Member	

Mailing Address:

Aditya Birla Capital Limited, One Indiabulls Centre, Tower – 1, 18th Floor, Jupiter Mill Compound, Senapati Bapat Marg, Elphinstone Road, Mumbai – 400 013

The Presiding Officer of ABC IC will also have an oversight of the BU IC’s for efficacy and training purposes.

Regards,

Authorized Signatory

## Annexure - 2

Procedure to be followed post filing of complaint with timelines The mentioned timelines are indicative and will depend upon the facts and circumstance in each case such as, the number of witnesses to be examined by the parties, cooperation extended by the parties and their witnesses and other relevant factors. However, best efforts would be made to close the enquiry within indicative timelines.

Step	Action	Time Period	Indicative Timelines considering complaint received as Day '0'
<b>1</b>	The AW should lodge complaint to IC in writing with six (6) copies of the complaint along with supporting documents and names and address of witnesses	Within 3 months from the date of the incident	Day - 0
<b>2</b>	Post evaluation of the complaint and establishment of prima facie case, the IC to seek explanation in writing from RP and also ask to submit his list of documents and names and address of witness which he would produce during the inquiry	Within a period of 7 working days from receipt of the complaint from AW	Day - 7
<b>3</b>	RP to revert on the above notice for explanation as specified in Step - 2	Within 10 days from the receipt of the notice	Day - 17
<b>4 (a)</b>	Post receipt of reply from RP and evaluating the complaint from AW, the IC may before initiating an inquiry and at the request of the AW, take steps to settle the matter between AW and RP through conciliation, provided that no monetary settlement shall be made a basis of conciliation.		
<b>4 (b)</b>	IC to initiate and complete inquiry in either of the cases: - (i) Should the conciliation as step is not agreed by the AW. (ii) If the conciliation fails, or if AW or RP insist for inquiry.	Within 90 days of the complaint being filed by the AW	Day - 90
<b>5</b>	IC to submit inquiry report with findings and recommendations to the management for completion of inquiry implementation with a copy to the AW and RP as per Section 13(1) of POSH Act 2013.	Within 10 days of inquiry implementation	Day 100
<b>6</b>	The Management to Implement recommendations	Within 60 days of the submission of the report.	Day 160

Closure report to be sent from Central Compliance team OR OE Team at ABCL to ABG SPOC

Quarterly Report - Period (XXXX to XXXX) 20XX The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 {Section 21 (rule 14)}	
Name & Address of the Establishment	
a) Number of complaints of Sexual Harassment received in the quarter <XXX>	
b) Number of complaints disposed off during the quarter <XXX>	
c) Number of cases pending more than Ninety days	
d) Number of workshop awareness program against sexual harassment.	
e) Nature of action taken by the employer / District Officer	
Place: _____	For & On Behalf of _____
Date: _____	

Annexure - 4

S. No	Instances	Sexual Harassment	Values/Code of Conduct Violation	Total
1	No. of the cases received in the Quarter (Jan-Mar 2019)			
2	No. Of cases carried forward from the Quarter (Oct- Dec 2018) which were not closed			
3	Total No. Of Open Cases for the quarter (Oct- Dec 2018)			
4	No. of cases for the quarter (Jan - March 2019)			
5	No. Of cases carried forward from the Quarter (Oct - Dec 2018) which have been closed			
6	Total cases closed for the quarter (Jan - March 2019)			
7	Total cases not closed at the end of the quarter (Oct- Dec 2018)			

----- End of document -----