

**ORIX AUTO INFRASTRUCTURE SERVICES LTD.**

**POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

**VERSION- 8**

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**ORIX AUTO INFRASTRUCTURE SERVICES LTD.****POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE****(I) INTRODUCTION:**

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ('the Act') was brought in force to provide protection against Sexual Harassment of women at Workplace and for the prevention and redressal of complaints of Sexual Harassment as defined hereunder. Sexual Harassment results in violation of the fundamental rights of a woman with regard to right to equality under Article 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment which is free of Sexual Harassment under Article 19 of Constitution of India.

**(II) PURPOSE:**

It is the policy of the Company to ensure the protection of all the female employees from any misconduct, misbehavior and from Sexual Harassment, as defined hereinafter, which affects the dignity of every female employee at Workplace. Special emphasis is laid on the Sexual Harassment since it is a serious misconduct and can render the perpetrator liable for strict disciplinary action including termination of employment/ cessation of contracts, reimbursement of compensation paid by the Company to the Aggrieved Woman. The Act has been devised to provide protection to women against any Sexual Harassment at Workplace. Keeping the true spirit of the Act, Company will not tolerate sexual offers, proposals and propositions of any kind and will take necessary action in accordance with law against the Employee(s) who resorts to or indulges or caused to be indulged in act of Sexual Harassment. The Company is duty bound to provide a safe working environment to its Employees at all times without discriminating between the genders at Workplace. The vital purpose of this policy is to provide an effective grievance redressal mechanism / process to handle complaints of Sexual Harassment at Workplace of women and for matters connected therewith or incidental thereto.

**(III) SCOPE:**

This policy applies to Aggrieved Woman, whether employed by the Company or not..

**(IV) DEFINITIONS:**

- (1) "Aggrieved Woman" in relation to a Workplace means, a woman, of any age employed by the Company and who alleges to have been subjected to any act of Sexual Harassment.
- (2) "Company or Employer" shall mean ORIX Auto Infrastructure Services Limited.
- (3) "Employee" means a person employed at a work place for any work on regular, temporary, ad hoc or daily basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, 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 name.
- (4) "Internal Committee" means the committee(s) constituted by the Company to redress the complaints / grievance with regard to Sexual Harassment.

- (5) “Member” means a person who forms the part of the committee.
- (6) “Respondent” means a person against whom Aggrieved Woman has made a complaint of Sexual Harassment.
- (7) “Sexual Harassment” means and includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), such as:
  - (a) physical contacts and advances; or
  - (b) a demand or request for sexual favors; or
  - (c) sexually colored remarks; or
  - (d) showing pornography; or
  - (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or

The following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:

- (a) implied or explicit promise of preferential treatment in employment; or
  - (b) implied or explicit threat of detrimental treatment in employment; or
  - (c) implied or explicit threat about present or future employment status; or
  - (d) interfering in work or creating an intimidating or offensive or hostile work environment; or
  - (e) Humiliating treatment likely to affect health or safety.
- (8) “Workplace” shall mean and includes any one or more of the following:
  - (a) All offices including branch offices and other premises from where the Company’s business is conducted.
  - (b) All Company-related activities performed at any other site away from the Company’s premises including digital media platform such as WhatsApp and LinkedIn only or official video conference meeting.
  - (c) Any place visited by the employee during the course of employment including transportation provided by Employer.

**(V) GOVERNANCE OF INTERNAL COMMITTEE (IC):**

- (1) Constitution of IC: In accordance with the Act, the IC shall consist of not less than 4 (four) members, where at least half of the members shall be a woman. IC is constituted at the Registered Office of the Company. IC will comprise of the following Members:
  - (a) **Presiding Officer** - Shall be a woman Employee employed at a senior level at Workplace Provided that in case a senior level woman Employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the Workplace.
  - (b) **Two Members** - Shall be amongst Employees preferably committed to the cause of woman.
  - (c) **One Member** –Shall be amongst non-governmental organisations or associations committed to cause of woman or a person familiar with the issues of Sexual Harassment or a person who is familiar with labour, service, civil or criminal law.

- (2) Quorum of IC : For any investigation, a minimum of three (3) members of the IC including Presiding Officer, two of them being women, will be required to investigate any complaint of Sexual Harassment.
- (3) Tenure of Members of IC : The Presiding Officer and every member of the IC will hold office for such period, not exceeding three years, from the date of their nomination by the Employer. The member, if appointed, from non-governmental organization shall be paid such fees, or allowances for holding the proceedings of the IC as prescribed.
- (4) Details of IC: The names, telephone numbers, mobile numbers, and email ids of the members of the IC are detailed in **Annexure A** of the policy.

***Any Aggrieved Woman shall approach the IC of respective branch.***

**(VI) PROCEDURES FOR COMPLAINTS OF SEXUAL HARASSMENT:** Sexual Harassment shall be resolved which is provided hereunder:

- (1) Complaints:
  - (a) The Aggrieved Woman may make a formal complaint, in terms of Section 9 of the Act, to the Presiding Officer or any other member of the IC constituted by the Employer.
  - (b) The complainant shall submit 6 (six) copies of the complaint to the IC along with supporting documents and the names and addresses of the witnesses in writing and can be in form of a letter, within 3 months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the Aggrieved Woman can send complaint through an email. The Aggrieved Woman is required to disclose her name, department, division and location she is working in, to enable the Presiding Officer to contact her and take the matter forward.
  - (c) The IC shall send 1(one) of the copies received from the Aggrieved Woman to the Respondent within a period of 7 working days.
  - (d) The Respondent shall file his reply to the complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.
  - (e) The IC have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved Woman (complainant) or Respondent fails, without sufficient cause, to present herself / himself for 3 consecutive hearings convened by the Presiding Officer, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.
  - (f) The parties shall not be allowed to bring in any legal practitioner or any friends or relatives or family members, except otherwise as provided in point (i) below, to represent them in their case at any stage of the proceedings before the IC.
  - (g) The IC shall conduct such investigations maximum within 90 days from the date of complaint and shall submit a written report containing the findings and recommendations to the Employer as soon as practically possible and in any case,

not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation of IC within 60 days of its receipt.

- (h) The IC report will also be made available to concerned parties.
- (i) Where the Aggrieved Woman (complainant) is unable to make a complaint on account of her physical or mental incapacity (as certified Medical Practitioner competent to issue such certificate) or death or otherwise, her legal heir or such other person as prescribed may make a complaint.

**(VII) ACTION DURING PENDENCY OF INQUIRY:**

If during the pendency of inquiry, a written request is made by the complainant, the IC may, after evaluating merit of the request and basis prevalent situations, recommend to the Employer as under:

- (1) transfer the Complainant or the Respondent to another Workplace; or
- (2) grant leave to the complainant up to a duration of 3 months which shall be in addition to the leave the complainant would otherwise be entitled to; or
- (3) grant such other offer to the Complainant as prescribed.

**(VIII) MANNER OF TAKING ACTION AGAINST THE RESPONDENT:**

- (1) Where the IC arrives at the conclusion that the allegation against the respondents have been proved, it shall recommend to the Employer to take action which may include the following:
  - (a) Written apology;
  - (b) Warning;
  - (c) Reprimand or Censure;
  - (d) Withholding of Promotion;
  - (e) Withholding of pay rise or increments; or
  - (f) Terminating the Respondent from service; or
  - (g) Undergoing a counselling session or carrying out community service.
- (2) Where the IC arrives at the conclusion that the allegations against the Respondents have not been proved, it shall recommend to the Employer that no action is required to be taken in the matter.

**(IX) PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:**

Where the IC arrives at a conclusion that the allegation against the respondent is malicious or the Aggrieved Woman or any other person making the complaint has made the complaint knowing it to be false or the Aggrieved Woman or any other person making the complaint has produced any forged or misleading document, IC may recommend to the Employer to take action against the complainant as under:

- (1) Written apology;
- (2) Warning;
- (3) Reprimand or Censure;
- (4) Withholding of Promotion;

- (5) Withholding of pay rise or increments; or
- (6) Terminating the complainant from service; or
- (7) Undergoing a counselling session or carrying out community service

**(X) CONCILIATION:**

- (1) The IC, may, before initiating an inquiry, at the request of the Aggrieved Woman, take steps to settle the matter between her and the Respondent through conciliation. It is further provided that no monetary settlement shall be made as a basis of conciliation.
- (2) Where a settlement has been arrived, the IC shall record the settlement so arrived and forward the same to the Employer to take action as specified in the recommendation.
- (3) The IC shall provide the copies of the settlement as recorded to the Aggrieved Woman and the Respondent.

**(XI) DETERMINATION OF COMPENSATION:**

For the purpose of determining the sums to be paid to the Aggrieved Woman, the IC shall consider:

- (1) the mental trauma, pain, suffering and emotional distress caused to the Aggrieved Woman;
- (2) medical expenses incurred by the victim for physical or psychiatric treatment.

Provided for (1) and (2) above, the Aggrieved Woman submits documentary evidences, in particular the certificate from medical practitioner not below the Master of Doctorate or psychiatric holding requisite qualification from recognized institute to practice as such, in support of her claim for compensation

- (3) the loss in the career opportunity due to the incident of Sexual Harassment;
- (4) the income and financial status of the Respondent;
- (5) feasibility of such payment in lump sum or in installments

**(XII) ADDITIONAL INFORMATION:**

- (1) No Employee, making a genuine complaint, shall be victimized. All the witnesses, if any, shall also not be victimized for giving the evidence.
- (2) The secrecy shall have to be maintained for all the parties to the proceedings i.e. the Complainant, Respondent and the witnesses to protect them from untoward incidences.
- (3) The Company shall document and include in its annual report the number of such incidences dealt with IC.
- (4) The Company shall organize workshops and awareness programs at regular intervals for sensitizing the Employees on sexual harassment.
- (5) In case the Company / Employer is / has made any compensation as envisaged in paragraph XI above, the Company / Employer shall be entitled to recover the said

compensation amount from the Respondent either by withholding his salary and other dues, if any or by instituting other legal actions, as the case may be

**(XIII) ASSURANCE AGAINST RETALIATION:**

This policy seeks to encourage all Employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by an Employee, violates this policy and will result in appropriate disciplinary actions.

**(XIV) AMENDMENTS:**

Any amendment in this Policy will be approved, in writing, by the Board of Directors of ORIX Auto Infrastructure Services Ltd., or any person authorized by the Board.

In case any amendments, clarifications, circulars and guidelines under the Act, not being consistent with the provisions laid down under this Policy, then the provisions of such amendments, clarifications, circulars and the guidelines shall prevail upon the provisions hereunder and this Policy shall stand amended accordingly effective from the date as laid down under such amendments, clarifications, circulars and guidelines.



**ANNEXURE A**

<b>ORIX AUTO INFRASTRUCTURE SERVICES LTD.,</b>					
<b>Internal Committee under Prevention of Sexual Harassment Act, 2013 (Mumbai)</b>					
<b>Sr. No.</b>	<b>Name</b>	<b>Designation</b>	<b>Office Desk No.</b>	<b>Mobile No.</b>	<b>Email ID</b>
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2	Mr. George Philips	AVP	022-67070239	9820324836	<a href="mailto:george.philips@orixindia.com">george.philips@orixindia.com</a>
3	Ms. Harpreet Bharati	Senior Officer	022-67070216	9920989961	<a href="mailto:Harpreet.bharati@orixindia.com">Harpreet.bharati@orixindia.com</a>
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5	Ms. Swati Prabhudesai	Senior Manager	022-67070248	9819360309	<a href="mailto:swati.prabhudesai@orixindia.com">swati.prabhudesai@orixindia.com</a>
6	Mrs. Asha Gachake	Advocate and Notary, External Member	970271115	7400161156	<a href="mailto:aagect@gmail.com">aagect@gmail.com</a>
Ms. Priya Singh shall be the Presiding Officer of the Internal Committee (Mumbai.)					

<b>ORIX AUTO INFRASTRUCTURE SERVICES LTD.,</b>					
<b>Internal Committee under Prevention of Sexual Harassment Act, 2013 (Delhi)</b>					
<b>Sr. No.</b>	<b>Name</b>	<b>Designation</b>	<b>Office Desk No.</b>	<b>Mobile No.</b>	<b>Email ID</b>
1	Ms. Neelanjana Singh	Head- HR, IR, & Admn	011-45628200	9953113565	<a href="mailto:Neelanjana.singh@orixindia.com">Neelanjana.singh@orixindia.com</a>
2	Ms. Priya Singh	AVP	022-67070296	7506039048	<a href="mailto:priya.singh@orixindia.com">priya.singh@orixindia.com</a>
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5	Mr. P N Subramanian	Executive Vice President	011-45628303	9811810214	<a href="mailto:pn.subramanian@orixindia.com">pn.subramanian@orixindia.com</a>
6	Ms. Pragya Bhushan	External Member	011-79682404	9968006418	<a href="mailto:pragyabb@gmail.com">pragyabb@gmail.com</a>
Ms. Neelanjana Singh shall be the Presiding Officer of the Internal Committee (Delhi).					

**ORIX AUTO INFRASTRUCTURE SERVICES LTD.,****Internal Committee under Prevention of Sexual Harassment Act, 2013 (Bangalore)**

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5	Advocate Ms. Deepa Rafeeqe	NGO Representative	N.A.	9810991141	<a href="mailto:deeparafeeqe@vlegal.in">deeparafeeqe@vlegal.in</a>

Ms. Sowmya Rasquinha shall be the Presiding Officer of the Internal Committee (Bangalore)

**ORIX AUTO INFRASTRUCTURE SERVICES LTD.,****Internal Committee under Prevention of Sexual Harassment Act, 2013 (Chennai)**

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**ORIX AUTO INFRASTRUCTURE SERVICES LTD.,****Internal Committee under Prevention of Sexual Harassment Act, 2013 (Gurgaon)**

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**ORIX AUTO INFRASTRUCTURE SERVICES LTD.,****Internal Committee under Prevention of Sexual Harassment Act, 2013 (Pune)**

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