



JAI KRISHAN FINLEASE PVT LTD

PREVENTION OF SEXUAL HARRASSMENT OF WOMEN AT WORKPLACE POLICY

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POSH POLICY

Introduction

Jai Krishan Finlease Pvt Ltd (JKFPL) is an equal opportunity employer and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias, and sexual harassment. JKFPL also believes that all its employees have the right to be treated with dignity. Sexual Harassment at the workplace or other than the workplace, if involving employees, is a grave offence and is, therefore, punishable.

The Prevention of Sexual Harassment of Women at Workplace Act -2013 (“**POSH Act**”) has been enacted with the objective of preventing and protecting women against workplace sexual harassment and ensuring effective redressal of complaints of sexual harassment. The statute aims at providing every woman (irrespective of her age or employment status) with a safe, secure, and dignified working environment, free from all forms of harassment, and the same has been enacted by the Parliament of India.

The POSH Act has the provision of establishing committees to assist the aggrieved women or the victims of sexual harassment. The purpose of this policy is to address the complaints of sexual harassment and assist the victims to protect their dignity in the workplace.

1.Scope

This Policy extends to all Directors, Employees of JKFPL & any person employed at the workplace for any work on a 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 voluntarily or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

The law includes any place visited by the employee as a workplace for work, as long as it arises out of or during the course of employment, including accommodation and transportation provided by the employer.

Sexual harassment would mean and include any of the following:

- a) Unwelcomed sexual advances, requests, or demands for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination, or evaluation of a person towards any activity of the Company.

- b) Unwelcomed sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal, or non-verbal communication which offends the individual's sensibilities and affects her/his performance.
- c) Eve teasing, innuendos and taunts, physical confinement against one's will, and likely to intrude upon one's privacy.
- d) Act or conduct by a person in authority which creates an environment at the workplace which is hostile or intimidating to a person belonging to the other sex.
- e) Conduct of such an act at the workplace or outside in relation to a third-party contract employee during employment; and
- f) Any unwelcomed gesture by an employee having sexual overtones.

Further, the following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:

- a) Implied or explicit promise of preferential treatment in employment.
- b) Implied or explicit threat of detrimental treatment in employment.
- c) Implied or explicit threat about the present or future employment status.
- d) Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- e) Humiliating treatment likely to affect health or safety.

2. Internal Committee

A 4-member Prevention of Sexual harassment committee ("Internal Committee" or "IC" or "the Committee") has been constituted to consider and redress complaints of sexual harassment. The presiding officer and members of the Committee shall be informed to Employees. The members along with the presiding officer, shall not occupy the office for a period of more than three years from the date of nomination.

One member from amongst the non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

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

The Committee may recommend to the management of JKFPL action, which may include appropriate disciplinary action including but not limited to possible suspension or termination.

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action may be initiated by the management of JKFPL for making a police complaint.

At the end of each financial year, the Committee shall submit a report on all complaints and their status to the board of the relevant company.

The Committee shall prepare an annual report with details on the number of cases filed and their disposal and submit the same to the District Officer.

Powers of the “Internal Committee”

The IC has the same powers as vested in a civil court under the Code of Civil Procedure.

- i. Summoning and enforcing the attendance of any person and examining him on oath.
- ii. requiring the discovery and production of documents; and
- iii. any other matter which may be prescribed.

POSH Committee for JKFPL Group

Name	Role	Contact No.	Email ID
Ambika Raturi	Presiding Officer	9897010889	credit@jkfinlease.com
Kritagya	Member	9711433967	kritagyaraturi@gmail.com
Rajesh Painuly	Member	9897888321	admin@jkfinlease.com
Anand Butola	External Member	7830662748	anand.butola@gmail.com

3. Redressal Process and Preliminary Investigation

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 three months of the occurrence of such incident(s).

The Committee will maintain records to support the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

The Committee will hold a meeting with the complainant within five days of receipt of the complaint, but no later than a week in any case.

At the first meeting, the Committee members shall hear the complainant and record

allegations made by the complainant. The complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate his / her complaint.

Thereafter, the person against whom the complaint is made may be called for a deposition before the Committee by issuing a notice and an opportunity will be given to him/her to give an explanation. If the explanation given is found to be unsatisfactory the concerned staff member shall be issued a charge- sheet cum notice of enquiry whereafter an enquiry shall be conducted and concluded. A suitable enquiry officer will be appointed to conduct the enquiry fairly and impartially.

In the event, that the complaint does not fall under the purview of sexual harassment, or the complaint does not constitute an offence of sexual harassment in the opinion of the Committee, the same would be dropped after recording the reasons therefor.

In case the complaint is found to be false, the complainant shall, if deemed appropriate, be liable for appropriate disciplinary action taken by JKFPL.

The complainant and respondent should not involve any legal practitioner in the inquiry procedure. However, they can be represented by any person permitted under the POSH Act and the rules and regulations made thereunder. Both parties will have the right to bring their evidence and cross- examine the opponent's evidence.

JKFPL shall provide all necessary assistance to ensure full, effective, and speedy implementation of this policy.

Where sexual harassment occurs because of an act or omission by any third party or outsider, JKFPL shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

4. Enquiry Process

The Committee shall proceed with the enquiry and communicate the same to the complainant and respondent, the person against whom the complaint has been made.

The Committee shall hand over a statement of allegation received from the Complainant to the person against whom the complaint is made and allow him/her to submit 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 the complaint is made.

If the complainant or the person against whom the complaint is made desires any

witness/es to be called, they shall communicate in writing to the Committee the names of the 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 the 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 their respective signatures on the respective documents to certify these to be original copies.

The Committee shall call upon all witnesses mentioned by both parties.

The Committee shall provide every reasonable opportunity to the complainant and to the person against whom the complaint is made, for putting forward and defending their respective cases. The Committee shall complete the enquiry within a reasonable period not exceeding three months and communicate its findings and its recommendations for disciplinary action to the management of JKFPL.

The report of the Committee shall be treated as an enquiry report based on which an erring employee can be awarded appropriate punishment.

The management of JKFPL will direct appropriate action as per the recommendations proposed by the Committee.

The Committee shall be governed by the POSH Act and Rules and Regulations framed thereunder and other applicable legislations/orders of courts.