



Policy

 Regulation Procedure

## Title: Policy for Prevention and Redressal of Sexual Harassment at Work Place

### AMENDMENT/ABOLITION RECORD

Version	Establishment or Amendment	Effective Date	Description of Change
00			Initial Version
01	01 <sup>st</sup> Jan 2018		Changes- Sec15 Internal Committee Members Addition- point x Additional Complaint Mechanism

Note: The amendment or abolition of the document shall be done in accordance with Policy of policy Control.

Mumbai, 30<sup>th</sup> December 2017

Approved by EC Meeting

Daisuke Maeda

Managing Director

Remarks:

方針	Policy	The fundamental principles/ rules/ philosophy of which the Company shall base on with respect to the business administration and the process of making organizational decisions. 業務執行や組織上の意思決定に際し準拠すべき基本的な原則・規則・原理
規程	Regulation	The complementary details based on Policy. 方針に準拠した補完的詳細事項
細則	Procedure	Operational procedures and/ or methods based on Policies and Regulations to manage administrative matters. 方針・規程に基づいた業務の具体的処理のための作業手続きや方法

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## Section 1: Purpose

- a) To define sexual harassment;
- b) To lay down the guidelines for reporting acts of Sexual Harassment in Work Place; and
- c) To provide the procedure for the resolution and redressal of complaints of Sexual Harassment in a time bound manner.

## Section 2: Scope

The Policy is applicable to all the Employees irrespective of their level, rank or designations across all departments, functions, operations, units, meeting centres and branch offices of the Company and is deemed to be incorporated in the service conditions of all the Employees and comes into effect forthwith.

Where sexual harassment occurs as a result of an act or omission by any Third Party Or outsider, the Company will take all steps necessary and reasonable to assist the affected person/victim in terms of support and preventive action.

## Section 3: Definition

For the purpose of the Policy the following definitions shall be applicable:

- a. **“Company”** shall mean Aeon Credit Service India Private Limited.
- b. **“Internal Committee”** shall mean a committee constituted for redressal of complaints of Sexual Harassment by the affected person/victim and make recommendations for resolution to the Management Team.
- c. **“Employee”** means a person employed for any work directly by the Company, or by or through any agency (including a contractor), whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied, and any person employed as a temporary, casual or contract worker, probationer, retainer, trainee, apprentice or by any other name called.

**Explanation:** The aforesaid definition of ‘Employee’ shall be used only for the purposes of the Policy and cannot be used to claim rights of an employee conferred by any law for the time being in force.

- d. **“Management Team”** shall mean the person/s vested with the powers to take appropriate action for implementing the decision of the Internal Committee and shall consist of such officers as designated by the Company from time to time;
- e. **“Sexual Harassment”** includes such unwelcome sexually determined behavior (whether directly or by implication) as:
- i) physical contact and advances;
  - ii) a demand or request for sexual favours;
  - iii) sexually coloured remarks;
  - iv) showing pornography;
  - v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual Harassment is not only when a Man perpetrates a Woman’s modesty, it can be same sex or perpetrator may be a Woman.

Sexual Harassment is a Criminal Offence.

Explanation: Where any of the aforesaid, act or conduct is committed in circumstances where under the victim of such conduct has a reasonable apprehension that:

- i) It can be humiliating and may constitute a health and/or safety problem; or
- ii) It is discriminatory, as for instance, when a person has reasonable grounds to believe that his/her objection would disadvantage him/her in connection with his/her employment or work, including recruitment or promotion or when it creates a hostile environment; or
- iii) It would result in adverse consequences if the victim does not consent to the conduct or raises any objection, it shall be deemed to be sexual harassment.

**Instances:**

Four broad instances/categories of Sexual Harassment are listed below:

**A) Physical Harassment:**

- i) Physical contact and advances;
- ii) Intentional touching, pinching, grabbing, brushing against another’s body;
- iii) Sexual assault;
- iv) Eve teasing, physical confinement against one’s will;
- v) Cornering, trapping or blocking a person’s pathway;
- vi) Excessively lengthy handshakes;
- vii) Any physical conduct which is unwelcome;

viii) Forcible physical touch or molestation.

**B) Verbal Harassment:**

- i) A demand or request for sexual favours either explicitly or implicitly in return for employment, increment, promotion, evaluation of a person towards any activity;
- ii) Sexually coloured remarks;
- iii) Making sexually suggestive or off-colour comments; threats; slurs; sexual propositions, kissing sounds, etc.;
- iv) Sexual jokes or teasing: misogynist humour; sexually coloured gender specific jokes;
- v) Comments about how someone looks, especially about parts of the body;
- vi) Catcalls, whistles and forms of address like “honey”, “sweetheart”, etc.;
- vii) Jokes, phone calls causing or likely to cause awkwardness or embarrassment;
- viii) Gender based insults or sexist remarks;
- ix) Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like;
- x) If anybody makes intrusive enquiries into the private lives of employees or persistently asking that individual out.

**C) Gestural Harassment:**

- i) Leering or staring at another’s body;
- ii) Sexually suggestive gesturing.

**D) Written / Graphic Harassment:**

- i) Showing pornography;
- ii) Display of pornographic material with an Employee as the target;
- iii) Written material that is sexual in nature such as letters/emails/sms’s or notes containing a sexual content;
- iv) Displaying sexually visual material such as pinups, cartoons, graffiti, computer programmes, catalogues of sexual nature.

f. **“Third Party”** means any person or persons not on the rolls of the Company but, in the course of work related activities, interacting with the Company.

g. **“Work Place”** shall mean any place(s) where an affected person/victim is employed or works, or visits in connection with his duties during the course of or arising out of his employment.



## Section 4: Reporting

If a person is being sexually harassed he/she should:

- a. Tell the accused that his / her behavior is unwelcome and ask him/her to stop;
- b. Keep a record of incidents (dates, times, locations, possible witness, what happened, victim's response). It is not mandatory to have a record of events to file a complaint, but a record can strengthen the victim's case and help the victim remember the details over time, in case the complaint is not filed immediately;
- c. File a formal complaint as soon as possible in accordance with the terms of the Policy.

## Section 5: Internal Committee

The Internal Committee of AEON should be the first point of contact for all Sexual Harassment complaints

### A. Constitution:

- i) The Internal Committee shall consist of not less than four members;
- ii) Not less than half of its members shall be women;
- iii) The Committee shall be headed by a woman, who shall be its Presiding Officer ;
- iv) To prevent the possibility of any undue pressure or influence from senior levels, the Internal Committee shall involve a third party, either non-governmental organization (NGO) or other body who is familiar with the issue of sexual harassment;
- v) If a member of the Internal Committee is junior in the hierarchy of the Company to the defendant, then for that particular case, that member may at his option recommend another person to be substituted on the Internal Committee in his place as the member;
- vi) The Internal Committee shall be appointed for a period of three years, after which a new Committee shall be appointed.

vii) Internal Committee shall have powers of a Civil court to carry out the investigation under this Policy

viii) The details of the Internal Committee members and their contact details is given below.

**B. Duties of Internal Committee:**

The Internal Committee shall have the following duties:

- i) To promote and facilitate measures taken by Company for the prevention and redressal of complaints of Sexual Harassment and for sensitization regarding the same;
- ii) To promote behavior that creates an atmosphere that ensures gender equality and equal opportunities;
- iii) To carry out an enquiry into complaints of Sexual Harassment referred to it or brought to its notice; and
- iv) To ensure that affected persons/victims, or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment.

**C. Complaint Mechanism:**

- i) An affected person/victim may prefer a complaint before the Internal Committee within 3 months from the date of incident and in case of continuing incidents, within 3 months from the date of last incident as per the format prescribed under **Annexure A** at [wecare@aeoncredit.co.in](mailto:wecare@aeoncredit.co.in) or email id of any member of the Internal Committee or any person designated by the Company to receive complaints. Alternatively, a victim/affected person can also send his/her complaint as per the said format at the following address:

**Sexual Harassment Internal Committee,**

Aeon Credit Service India Private Limited,  
Unit No. TF-A-01, 3rd Floor, A wing, Art Guild House,  
Phoenix Marketcity, LBS Marg, Kurla (West),  
Mumbai – 400 070.

- ii) In case of death of an aggrieved Employee the complaint may be filed by his/her legal heir/ representative;
- iii) In case of more than one aggrieved Employees, the complaint may be filed by any one of them on behalf of all the aggrieved Employees;
- iv) A complaint may also be filed by a co- Employee or a women's organisation with the authorization/ written consent of the above persons in i) to iii) above;
- v) The complaint shall be addressed to the Sexual Harassment Internal Committee and shall contain all the material and relevant details concerning the alleged Sexual Harassment including the names of the contravener and the complaint;
- vi) The complaint can be lodged at the email id / address provided under sub-clause (i) above or with any member of the Internal Committee or any person designated to receive complaints;
- vii) Complaints should be made in writing. It shall be duty of the Internal Committee member or the person designate before whom an oral complaint is made to reduce the said complaint in writing and read out the complaint to the complainant in the language requested by the complainant and obtain the signature of the complainant with date;
- viii) Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code or under any other law, it shall be the duty of member of the Internal Committee who receives such a complaint to immediately inform the complainant of her/his right to initiate criminal proceedings against the accused and shall assist/initiate appropriate action in accordance with law by making a complaint with the appropriate authority;
- ix) The Internal Committee will endorse the complaint received by it and keep the contents confidential except to use the same for discreet investigations.
- x) Women can also lodge a complaint online through SHe-Box online complaint Management System. Those who have already filed a written complaint with the Complaint Committee constituted under the SH Act are also eligible to file their complaint through this portal. Complaint will be directly sent to the Complaint



Committee. Through this portal, Complainant can monitor the progress of inquiry conducted by the Internal Committee.

Link to the SHe-Box portal: <http://shebox.nic.in/>

## Section 6: Enquiry Proceedings:

- i) On the receipt of the complaint, the chairperson of the Internal Committee shall within seven working days from the date of receipt of the complaint or as soon as reasonably possible, call a meeting of the Internal Committee to meet the affected person/victim who has made the complaint and record his/her statement made at such a meeting;
- ii) The Internal Committee shall hear the affected and record her/his allegations. The affected person/victim may also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate his / her complaint. If the affected person/victim does not wish to depose personally due to embarrassment of narration of event, a IC member (woman) for lady employees involved and a male officer for male employees involved, shall meet and record the statement;
- iii) After the meeting with the affected person/victim, and on satisfaction of the existence of a prima facie case of Sexual Harassment, the Internal Committee shall call for a meeting **within the next 7 working** days or as soon as reasonably possible;
- iv) Thereafter, the person against whom complaint is made may be called for a meeting before the Internal Committee and an opportunity will be given to him / her to give an explanation;
- v) In case, a resolution is not arrived **within seven working days** from the date of the meeting of the Internal Committee under point (iii) above, the Internal Committee shall initiate the enquiry proceedings;
- vi) The enquiry procedure would be as follows:
  - a) The Internal Committee shall prepare and issue a formal written complaint containing definite and distinct articles of charge, which shall include:
  - b) A statement of the imputations of misconduct or misbehavior in support of each article of charge, which shall contain a statement of all relevant facts including any admission or confession made by the defendant;

- c) A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- d) The Internal Committee shall arrange to deliver the written complaint to the defendant and shall require the defendant to submit an explanation within two working days from the receipt of the charge-sheet, a written statement of his defence and supporting documents and witnesses, if any;
- e) Where no written statement is submitted by the defendant, the Internal Committee may proceed with the inquiry;
- f) If the affected person/victim or the defendant desires to examine any witnesses they shall submit in writing to the Internal Committee the names of witnesses whom they propose to examine. If the affected person/victim or defendant desires to tender any documents by way of evidence before the Internal Committee, they shall do so with copies of the same for the opposite parties;
- g) All documents tendered to the Internal Committee shall be taken on record by it and given an exhibit number;
- h) At the commencement of the enquiry proceedings the Internal Committee shall explain to both the complainant and defendant the procedure which will be followed in the enquiry;
- i) Firstly the evidence and witnesses of the affected person/victim shall be recorded. After the completion of the evidence and examinations, the evidence of the defendant and his witnesses shall be recorded. Sufficient opportunities shall be given to examine all witnesses notified by both the parties;
- j) All proceedings of the Enquiry Committee will be recorded and the same together with the statement of witnesses shall be endorsed by the affected person/victim and defendant. The refusal to endorse the same by either party shall be endorsed by the Internal Committee. All parties involved in the process are at liberty to place on record any objections or observations. The affected person/victim and the defendant shall be furnished with a copy of the enquiry proceedings at the end of each proceeding;
- k) The enquiry shall be conducted in English Language;
- l) The Internal Committee shall ensure that every reasonable opportunity is extended to the affected person/victim and the defendant, for putting forward and defending their respective cases;
- m) The venue of the enquiry shall be decided by the Complainant Committee;

- n) The Internal Committee shall complete the enquiry within reasonable period but not beyond three months and communicate its findings and its recommendations for necessary action to the Management Team;
- o) The report of the Internal Committee shall be treated as an enquiry report on the basis of which appropriate disciplinary action shall be taken by the Management Team as per the findings and recommendations of the Internal Committee.
- p) On the completion of the enquiry, the IC will submit a written report to the Company within a period of 10 days from the date of completion of the enquiry and made available to the concerned parties.

### **Section 7: Rules of Evidence:**

In conducting an enquiry, the Internal Committee:

- i) shall be sensitive to the covert, private and insidious nature of Sexual Harassment and shall take into account that often the affected person/victim may not be able to lead direct or corroborative evidence;
- ii) shall not permit any evidence or examination based on the aggrieved person's character, personal life, conduct, personal and sexual history;
- iii) shall take note of the respective socio-economic positions of the parties, their hierarchy in the Company and other power differences while appreciating the evidence;
- iv) shall disallow any questions desired to be put by the defendant to the aggrieved person which it feels are derogatory, irrelevant or slanderous to the affected person/victim;
- v) Can allow the affected person/victim to give his/her answers to questions of a sensitive nature in writing immediately in the enquiry proceedings during cross examination.

### **Section 8: Issuing Interim Orders:**

The Internal Committee if so required may issue appropriate Interim orders from time to time recommending the Management Team to issue orders as may be necessary to ensure the safety of the victim or witnesses.



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### **Section 9: Findings and Directions:**

On the completion of an enquiry by the Internal Committee, the Internal Committee may recommend a detailed and reasoned order, which may include:

- i) Recommending to the Management Team appropriate disciplinary action as per the HR Manual / terms of employment, commensurate with the gravity of the offence of which the person has been found guilty of;
- ii) Recommending the Management Team steps necessary and reasonable to assist the affected person/victim in terms of support and preventive action where Sexual Harassment has occurred as a result of an act or omission by any Third Party or outsider;
- iii) Recommending to the Management Team appropriate disciplinary action against the person making the complaint, in case the complaint registered is found to be frivolous or false or was made with a malicious intention;
- iv) Dismissing the complaint;

### **Section 10: Confidentiality:**

- i) Information generated in the course of informal reviews and formal investigations necessary for enforcing this Policy will be given the full extent of confidentiality to Employee personnel records. Any person who, without authorization, reveals such information will be subject to disciplinary action.
- ii) The sharing of the content of the complaints will be on a “need to know” basis only. It is understood that sexual harassment is an issue of highly sensitive nature and therefore strict confidentiality will be maintained by the affected person/victim, defendant, witnesses, the Complainant Committee and the Management Team.

### **Section 11: Protection against Retaliation:**

Regardless of the outcome of the complaint made in good faith, the affected person/victim lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of Sexual Harassment, the Internal Committee shall ensure that the affected person/victim or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the affected person/victim while the investigation is in progress should be reported by the affected person/victim to the Internal Committee as soon as possible. Disciplinary action will be recommended by the Internal Committee to the Management Team against any such complaints.

### **Section 12: Complaints made with a Malicious Intent:**

The Policy has been evolved as a tool to ensure that in the interest of justice and fair play, Employees have a forum to approach in the event of instances of Sexual Harassment. However, if upon investigation the Complaint is found to be frivolous or false or it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image and to settle personal/professional scores, appropriate disciplinary action will be taken against the complainant. The persons who are victims of such frivolous or false Sexual Harassment complaints may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

### **Section 13: Other points to be considered:**

- (i) The Management Team will direct appropriate action in accordance with the recommendation proposed by the Internal Committee;
- (ii) The Management Team shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy;
- (iii) The Internal Committee shall analyse and put up a report on all complaints of this nature at appropriate time for submission to Management Team.



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**Section 14: Format for Reporting Sexual Harassment Complaints**

**To,**  
**The Sexual Harassment Internal Committee**  
Aeon Credit Service India Private Limited,  
Unit No. TF-A-01, 3rd Floor, A wing, Art Guild House,  
Phoenix Marketcity, LBS Marg, Kurla (West),  
Mumbai – 400 070.

**Sexual Harassment details:**

[You may attach additional sheets if necessary to provide the details]

- d. Person/people involved in Sexual Harassment:  
[Please provide the name(s), designation, location(s), and relationship with you (e.g. supervisor, colleague, etc.)]

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- e. Critical incidents and factual data:  
Please describe the incident/s:

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\_\_\_\_\_ Your response to the incident/s:

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- f. Other material and relevant details:  
[Please provide date/s, place/s of the incident/s, witnesses, if any, details of text messages, emails, if any, etc.]

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Person making the complaint is [please tick]:



- a) Victim / affected person;
- b) Representative of the victim;
- c) Co-Employee;
- d) Women's Organization.

Name of the person(s) reporting: \_\_\_\_\_

Date: \_\_\_\_\_

Location: \_\_\_\_\_

Department: \_\_\_\_\_

Contact Information: \_\_\_\_\_

(mention official e-mail id, cell no., \_\_\_\_\_

contact no, office address) \_\_\_\_\_

Signature: \_\_\_\_\_

Place: \_\_\_\_\_



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## Section 15: The Sexual Harassment Internal Committee

The Committee Chairperson: Mr. Daisuke Maeda

Complaint Email Id: [wecare@aeoncredit.co.in](mailto:wecare@aeoncredit.co.in)

### Committee Members

Sr. No.	Name	Email id	Contact No.
1	Ms. Debashree Gupta	<a href="mailto:debashree_gb@aeoncredit.co.in">debashree_gb@aeoncredit.co.in</a>	9619372360
2	Ms. Aditi Bose	<a href="mailto:aditi_bose@aeoncredit.co.in">aditi_bose@aeoncredit.co.in</a>	
3	Ms. Gayatri Nambiar	<a href="mailto:gayatri_nambiar@aeoncredit.co.in">gayatri_nambiar@aeoncredit.co.in</a>	
4	Mr. Tomo Sato	<a href="mailto:sato@aeoncredit.co.in">sato@aeoncredit.co.in</a>	
5	Mr. Sanjaya Kumar Dash	<a href="mailto:sanjaya_dash@aeoncredit.co.in">sanjaya_dash@aeoncredit.co.in</a>	9619884255
6	Mr. Satheesh Nair	<a href="mailto:satheesh_nair@aeoncredit.co.in">satheesh_nair@aeoncredit.co.in</a>	9820725168

## Section 16: Section in charge

The section in charge of handling of this policy shall be HR & Welfare section.

## Section 17: Revision and abolishment

Revision and abolishment of this policy shall be planned and conducted by HR & Welfare Section. Revision and abolition requires resolution of Board of Directors Meeting.

This policy shall be reviewed annually or as necessary according to changes in business environment or strategy or developments of Policy control by the Company.