

**Magma HDI General Insurance
Company Limited**

This document intends to prevent/prohibit, redress any incident of sexual harassment and to enforce strong disciplinary action in face of any such occurrence.

Policy on Prevention and Redressal of Sexual Harassment

Effective Date: 01.11.2023

Approval Date: 01.11.2023

Version No.: 6.0

Approved By: Board of Directors

Policy Owner: Human Resource Department

This document is confidential in nature and shall supersede all policies on Prevention and Redressal of Sexual Harassment of the Company and should be read in conjunction with the most recent policies and procedures documented.

Subject: Policy on Prevention and Redressal of Sexual Harassment	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

Base Document	:	Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
Initial Document Prepared by	:	Mr. Jayanta N Bandhopadhyay
Functional aspects checked by	:	Mr. Debapratim Guha
Governing Guideline/Policy	:	Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
Legal aspects checked by	:	Mr. Anand Roop Choudhary, Mr. Vishal Jain, Ms. Arti Choudhary and Mr. Karan Purohit

Policy on Prevention and Redressal of Sexual Harassment

Magma HDI General Insurance Company Limited

Table of Contents

Contents

1. Purpose & Scope:	3
2. Objectives:	3
3. Applicability:	3
4. Definitions	3
A. Sexual Harassment	3
B. Workplace	4
C. Employee	4
D. Aggrieved Person	4
E. Respondent	Error! Bookmark not defined.
F. Bystander	Error! Bookmark not defined.
5. Role of Bystander/Aggrieved Person:	5
6. Internal Committee	6
A. Content of Complaint	6
B. Interim Relief	6
C. Conciliation	6
D. Formal Complaint Resolution Procedure	7
E. False or Frivolous or Malicious Complaints	7
F. Recusal from inquiry	7
7. Third Party Harassment	7
8. Savings	8
9. Criminal Proceedings/Other Remedies	8
10. Awareness about Policy	8
11. Complainants or witnesses	8
12. Confidentiality	8
13. Annual Meeting of the Committee	8
14. Responsibility for implementation	9
15. Amendments/Modifications	9
16. Change Control Record	9
Annexures	10

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

1. Purpose & Scope:

Magma HDI General Insurance Company Limited (herein referred to as the ‘**Company**’) is committed to provide equal employment opportunities, i.e., no discrimination based on age, race, colour, religion, national origin, differently abled or gender. To ensure the same, it is important that all employees are entitled to a work-environment free from sexual harassment and one which promotes dignity, respect and affordable equitable treatment. The Company ensures promoting a work environment that is conducive to professional growth of all the Employees and encourages equal opportunity to all. Sexual Harassment as defined herein below is prohibited as per this principle of the Company.

In pursuant to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules made thereunder, the Company has framed this Policy on Prevention, Prohibition and Redressal of Sexual Harassment at workplace (herein referred to as the ‘**Policy**’). The purpose of this Policy is to lay down the Company’s approach to deal with incidences of Sexual Harassment against fellow colleagues including third party personnel engaged with the Company and to ensure that any incidence of Sexual Harassment is dealt with appropriately, sensitively and expeditiously in line with the guidelines as prescribed under applicable law(s). It defines Sexual Harassment and provides a framework to deal with complaints of Sexual Harassment at the Workplace.

Any form of Sexual Harassment whether overt or covert; intentional or unintended is unacceptable, and therefore regarded as misconduct in terms of this Policy. It explicitly prohibits Sexual Harassment at workplace which includes any location visited by the employee in connection with activities related to work. The Company will take action consistent with its disciplinary and grievance procedures against any Employee found to have breached this Policy.

It is the responsibility of all those connected with the Company to comply with this Policy.

2. Objectives:

Provide a framework enabling creation of:

- a. Work environment free from fear, reprisal, coercion, discrimination and harassment of sexual nature.
- b. Expressing zero tolerance to any Sexual Harassment at Workplace through prevention, resolution and deterrence of acts of Sexual Harassment.

3. Applicability:

This Policy applies to all individuals who are employed in the Company, either engaged in permanent, contractual or temporary capacity (whether in the office premises or in any office which includes regional / branch / on-site/off-site etc.) of the Company. This Policy also applies to the vendors, visitors or any other associates of the Company.

4. Definitions

A. Sexual Harassment

Sexual Harassment may be one or a series of incidents involving unsolicited and unwelcome behaviour (whether directly or by implication) towards a co-worker / subordinate / supervisors / third party personnel involving, but not limited to, any of the following:

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

- a. Physical contact or unwelcome advances;
- b. Demand or request for sexual favours;
- c. Sexually coloured remarks;
- d. Showing pornography or other obscene material. This includes circulation/displaying of potentially offensive sexually oriented content in the Workplace;
- e. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature like jokes/comments/conversations causing or likely to cause awkwardness or embarrassment;
- f. Repeatedly asking to socialize during office duty/course of employment or continued expression of sexual interest against person's wishes, or an act of innuendo, eve-teasing, and/or comments of sexual nature;
- g. Offering gifts, or leaving an objects that are sexually suggestive in nature;
- h. Physical confinement against one's will and likely to intrude upon one's privacy; or sexual assault;
- i. Any obscene sound, gestures, stalking, , sexist remarks, sexual overtone in any manner through including but not limited to any electronic mode and includes any act or conduct by a person making the environment at the workplace hostile, humiliating or intimidating to another person;
- j. Un-welcome propositions/requests for sexual activity.

Certain other Factors to define Sexual Harassment:

The following circumstances among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of Sexual Harassment may amount to Sexual Harassment :-

1. Implied or explicit promise of preferential treatment in their employment, or
2. Implied or explicit threat of detrimental treatment in their employment , or
3. Implied or explicit threat about their present or future employment or
4. Humiliating treatment likely to affect their physical or mental health or safety or
5. Interference with the person's work or creating an intimidating or offensive or hostile work environment for the person.

B. Workplace

Workplace includes:

- a. any office, branch or unit, which is established, owned or controlled by the Company;
- b. any place visited by the Employee which includes but not limited to client location, vendor location, training venue, get-together venue, arising out of or during the course of employment including transportation provided by the Employer for undertaking such journey.

C. Employee

“Employee” means a person employed at a Workplace for any work on regular, temporary, ad hoc or daily wages 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 on a voluntary basis or otherwise, 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 such name.

D. Aggrieved Person

Aggrieved Person means:

In relation to a workplace, a person, of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by an employee of the Company. Herein after also denoted as the Complainant.

Subject: Policy on Prevention and Redressal of Sexual Harassment	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

E. Respondent

Any active employee against whom the Aggrieved Person has made a written complaint.

F. Bystander:

Any person who observes sexual harassment taking place at the workplace and is not the aggrieved person.

5. Role of Bystander/Aggrieved Person:

- In the first instance, when a Bystander/ Aggrieved Person observes behaviour of Sexual Harassment, the Bystander/ Aggrieved Person should confront the alleged harasser and bring it to their attention that the behaviour is unwelcome and firmly request it be stopped.
- If such behaviour persists, the Aggrieved Person should bring it to the attention of Internal Committee
- The Company shall nominate officers in different zones as First Instance Facilitator (FIFs) in compliance with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, to provide first instance facilitation in case of any complaint of Sexual Harassment. FIFs shall also co-ordinate preventive activities to create a Sexual Harassment free atmosphere in the Company and will be available to hear and deal with any concerns the Employees may have and inform them about this policy and the complaint process. FIFs will bring any information relating to Sexual Harassment incident to the notice of Internal Committee for next appropriate steps.
- If the Bystander/ Aggrieved Person needs any support or clarification they may reach out to the FIF in their respective Zone.
- An Aggrieved Person may make, in writing, a complaint of Sexual Harassment at Workplace to the Internal Committee (as defined hereunder) within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident.
- The complaint shall be addressed to the Member(s) of the Internal Committee, sent to POSH.ICC@magma-HDI.co.in
- Delay in reporting makes it more difficult to establish the facts of the case and may contribute to the repetition of offensive behaviour.
- The Internal Committee may, for the reasons to be recorded in writing, extend the time limit for reporting the complaint to such periods as it deems fit, if it is satisfied that the circumstances were such which prevented the Aggrieved Person from filing a complaint within the said period.
- Where such complaint cannot be made in writing, the Presiding Officer of the Internal Committee or any Member of the Internal Committee as the case may be, shall render all reasonable assistance to the Aggrieved Person for making the complaint in writing so as to facilitate the Internal Committee to take a formal action in this regard.
- Where the Aggrieved Person is unable to make a complaint on account of their physical or mental incapacity or death or otherwise, their legal heir may make a complaint in writing to the Internal Committee.

The Company takes allegations of Sexual Harassment seriously and will ensure that every complaint is looked into through due process and action will be taken as per the Service Rules of the Company.

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

6. Internal Committee

The Company shall constitute an Internal Committee for the purpose of conducting enquiry in the matter of Sexual Harassment.

Since the Workplace are located at different locations there will be a Central Internal Committee which will look into complaints from all locations. The minimum composition of the Internal Committee shall be as given below:

- a. Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees
- b. not less than two Members from amongst employees preferably committed to the cause or who have had experience in social work or have legal knowledge;
- c. one member from amongst non-governmental organisations or associations committed to the cause or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

Please refer to **Annexure 1** for the details of the members of the Internal Committee.

A. Content of Complaint:

The complaint shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name(s) of complainant, respondent, designation, location of the contravener, date(s) of act(s), time, witnesses if any, etc.

B. Interim Relief:

During the pendency of the inquiry, on a written request, if made by the Complainant, the IC may recommend to the employer as to: -

- (i) Transfer the complainant or the respondent to any other Workplace.
- (ii) Granting of leave(s) as appropriate.
- (iii) As to prevent respondent from assessing complainant' work performance and accordingly change in reporting hierarchy if the complainant directly reporting to the respondent.
- (iv) Or grant such other relief as deemed appropriate.

C. Conciliation

- i. The Internal Committee may before initiating an inquiry at the written request of the Complainant take steps to settle the matter between them and the Respondent through conciliation. The Internal Committee will attempt to resolve the raised issue through mutual discussion between the Complainant and the Respondent. The conciliation process will also be documented and go on record.
- ii. Internal Committee will proceed with conciliation only after making sure that the Complainant is not open to conciliation on account of any force / threat / any other personal interest.
- iii. The Internal Committee will record the terms of settlement acceptable to the complainant and the Respondent and file a closure report with the HR department to take further action as recorded in the settlement. Copies of the settlement shall be provided to the Complainant and the Respondent. All persons involved in the conciliation will maintain the dignity and confidentiality of the persons involved. The complainant will have the right to withdraw from the conciliation process by stating the reasons for withdrawal to the Internal Committee.
- iv. Post the conciliation process, after the settlement is arrived at, the Internal Committee will abstain

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

from further inquiry in the complaint, unless the matter warrants otherwise. Reasonable follow up shall be maintained with the complainant by the HR department.

- v. If the conciliation does not stop the behaviour of the Respondent and / or if any of the terms mentioned in the settlement are not complied with by the Complainant/Respondent, then it must be reported to the Internal Committee for appropriate next steps.

D. Formal Complaint Resolution Procedure:

- i. The Internal Committee shall take immediate necessary action to hold an inquiry, however, all the time maintaining confidentiality in this regard. The Committee shall hear the complainant and their statements shall be recorded. The Respondent shall be provided a copy of the complaint and an opportunity will be given to them to give a written response within 4 working days and the complainant shall be provided with a copy of the Respondent's reply, whereupon they may submit further information/documents within 4 working days of receipt thereof. The Internal Committee may also take inputs from the witnesses named by the parties and any other persons in the know of the alleged incident.
- ii. Members of the Internal Committee shall after examination of the complaint and the response of the Respondent, and all evidence placed before it, including witness statements; submit its report to Complainant and respondent. Post acknowledgement from both parties, the committee will submit to the management the final report with recommendations, in accordance with the provisions of service rules applicable. The Committee shall keep complete documentation of the complaint, inquiry and its report. The committee / officer designated for this purpose shall ensure that all documents shall be kept securely.
- iii. Where the Internal Committee arrives at a conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to take necessary action as appropriate as per the provisions of Law.
- iv. Where the Internal Committee arrives at a conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken in this matter. In case the result of inquiry is not to the expectation of the complainant or respondent, they may take up the matter further, as per the provision of Law.

E. False or Frivolous or Malicious Complaints:

If the IC concludes that the complaint made is false or frivolous or was made with a malicious intent or with the motive of maligning the concerned individual or to settle personal/professional scores, disciplinary action can be recommended against the complainant.

A mere inability to substantiate a complaint or provide adequate proof may not attract action against the complainant under this clause.

F. Recusal from inquiry:

IC member shall inform the IC committee for any potential conflict of interest while conducting the inquiry. The IC member shall be excused to be part of inquiry wherever, there is any conflict of interest. The Management is authorized to appoint any member in the IC on *ad hoc* basis.

7. Third Party Harassment:

Where Sexual Harassment occurs as a result of an act or omission by any third party or outsider, it shall be out of the jurisdiction of the IC however, the Company and the persons in charge may take all steps, necessary and reasonable to assist the aggrieved person in terms of support and preventive action.

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

8. Savings:

- (a) Nothing contained in this Policy shall prejudice any right available to the Employee or prevent any person from seeking any legal remedy under any applicable law for the time being in force.
- (b) In case of any discrepancy in the Policy, the provisions of relevant Act(s)/Rule(s) shall prevail.
- (c) The Company reserves the right to modify and, or review the provisions of this Policy, as to meet out the requirement of the provisions of Law/Statue.

9. Criminal Proceedings / Other Remedies:

Where any conduct of the Respondent amounts to a specific offence under the Indian Penal Code or under any other law, the Employer may also initiate appropriate action in accordance with law by making a complaint with the appropriate authority. The Employees who are victims of Sexual Harassment may, in addition to lodging complaint with the Internal Committee, also seek legal remedies as may be available under the various laws for the time being in force.

10. Awareness about Policy:

Awareness about this Policy shall be created by awareness sessions / emails as well as displaying or notifying the salient features of the Policy in a suitable manner and Employees will be free to raise issues relating to Sexual Harassment. It is compulsory for each employee of the Company to complete the e-learning module on POSH every year.

11. Complainants or witnesses:

The complainants or witnesses shall not be victimized or discriminated against, while dealing with complaints of Sexual Harassment or thereafter. 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 behaviour that might constitute Sexual Harassment is also strictly prohibited.

12. Confidentiality:

The Company understands that it is difficult for the aggrieved person to come forward with a complaint of sexual harassment and recognizes their interest in keeping the matter confidential. However, as to protect the interest of the complainant who reports incidents of Sexual Harassment, and the respondent, who has been accused of Sexual Harassment, confidentiality shall be maintained throughout any inquiry process to the extent practicable and appropriate under the circumstances.

- a. Any person contravening the confidentiality clause is subject to disciplinary action as prescribed in the Act.

13. Annual Meeting of the Committee

The Committee shall meet at least once every financial year and review the efficacy of the implementation of the policy.

Subject: Policy on Prevention and Redressal of Sexual Harassment	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

14. Responsibility for implementation

It will be the responsibility of Chief Human Resources Officer (CHRO) to ensure the implementation of this policy in the Company.

15. Amendments/Modifications:

This Policy shall be reviewed by the Board of Directors periodically as and when required and any changes made in the Policy shall be recorded in the change control record sheet attached with the Policy.

16. Change Control Record

Version No.	Change Request by	Memorandum of Change	Approval Date
2.0	Mr. Anand Roop Choudhary	To align with the requirement of constitution of the Internal Complaint Committee as per the POSH Act.	30.10.2015
3.0	Mr, Anand Roop Choudhary	Policy has been revised to make it MHDl specific	28.07.2017
4.0	Mr, Anand Roop Choudhary	Policy has been revised to make it MHDl specific	21.01.2021
5.0	Mr. Debapratim Guha	Policy has been changed to a gender neutral policy and further refinement of Policy	22.07.2021
	Mr. Debapratim Guha	No Change	28.07.2022
	Mr. Debapratim Guha	No Change	26.06.2023
6.0	Mr. Karan Purohit	General amendments	01.11.2023

Subject:	Original Issue Date: 31.10.2014	Effective Date: 01.11.2023
Policy on Prevention and Redressal of Sexual Harassment	Revision Dates: 31.10.2014, 30.10.2015, 28.07.2017, 21.01.2021, 22.07.2021, 01.11.2023	Version No: 6.0

Annexure - 1

As notified & displayed from time to time to all employees.

Annexure - 2

Process of proceedings: How to register complaint.

