



Policy for Prohibition, Prevention & Redressal of Sexual Harassment

1. PREAMBLE

This Policy is Genev Capital Pvt. Ltd. (Company) policy against sexual harassment. Company affirms its objective of maintaining a work environment that is free from sexual harassment.

2. PROHIBITION OF SEXUAL HARASSMENT

(A) ***Company strictly prohibits Sexual Harassment in its Work Environment.***

(B) ***"Sexual Harassment" means:***

(i) ***any conduct that is unwelcome and sexual in nature;***

Examples of such conduct are:

- a. physical contact and advances;
- b. a demand or request for sexual favour;
- c. making sexually coloured remarks;
- d. showing pornography.

(ii) ***any conduct/circumstance that is harassing in nature but only if it supports one's own or another person's unwelcome conduct of a sexual nature.***

Examples of such conduct/circumstances are:

- a. Retaliation in any manner, for complaining against Sexual Harassment or giving evidence in support of such a complaint;
- b. Implied or explicit promise of preferential treatment in the harassed person's employment;
- c. Implied or explicit threat of detrimental treatment in the harassed person's employment;
- d. Implied or explicit threat about the harassed person's present or future employment status;

(C) ***"Work Environment" means:***

- a. Interactions amongst the Company's employees*, irrespective of location and timing;
- b. Interactions between the Company's employee and a third party during the course of employment or third party's business relationship with the Company;
- c. Interactions between an employee of the Company/third party having a business relationship with the Company and a visitor to the Company's premises/events.

** The term "employee" includes permanent as well as temporary employees, individual consultants and trainees (paid as well as unpaid)*



genev capital pvt. ltd.



3. PREVENTION OF SEXUAL HARASSMENT

- A. The Company believes that Sexual Harassment can be eliminated through awareness.
- B. The Company will spread awareness within its organization through communication about Sexual Harassment and its consequences for the organization and the individuals involved.
- C. The Company will also take other appropriate steps as may be required to prevent and eliminate Sexual Harassment from its Work Environment.

4. REDRESSAL OF COMPLAINTS

- A. Company has constituted Internal Complaints Committee (ICC) to investigate & decide complaints of Sexual Harassment covered in this Policy.
- B. The names and contact details of the ICC members are listed in Appendix A to this Policy.
- C. Anyone who faces or is affected by Sexual Harassment in the Company's Work Environment may make a complaint to the ICC.
- D. The procedures and time frames for filing, investigating and deciding complaints; and rights and obligations of the parties involved in the complaint are detailed in Appendix B to this Policy.

5. PUNISHMENT FOR SEXUAL HARASSMENT

- A. The Company shall take suitable action as recommended by the ICC against any employee who is found guilty of Sexual Harassment after due investigation. Such action may include one or more of the following:
 - a. a warning,
 - b. a written apology,
 - c. mandatory counseling sessions or community service,
 - d. fines,
 - e. withholding of promotions or increments,
 - f. suspension from service,
 - g. termination of service.
- B. Any person who is found guilty of Sexual Harassment of a woman after due investigation by the ICC shall be liable to pay compensation for any losses suffered by the harassed woman due to such Sexual Harassment.
- C. The following acts of Sexual Harassment by a man against a woman are also criminal offences under the Indian Penal Code and are punishable as described below:
 - a. physical contact and advances involving unwelcome and explicit sexual overtures;
 - b. a demand or request for sexual favors;
 - c. showing pornography against the will of a woman;
 - d. making sexually coloured remarks.

The offences under (a), (b) and (c) are punishable with fine and/or rigorous imprisonment of up to 3 years. The offence under (d) is punishable with fine and/or simple or rigorous imprisonment of up to 1 year.

✶



genev capital pvt. ltd.



6. **CONSEQUENCES OF MAKING FALSE OR MALICIOUS COMPLAINTS**

If the ICC concludes that a complaint is intentionally false or malicious or that any person has intentionally provided false or misleading evidence of any kind, the person who knowingly made such a false or malicious complaint or knowingly provided such false or misleading evidence may be punished in the same manner as described in Para 5 (A) and (B) above. A complaint will not be automatically treated as false or malicious just because of failure to prove that Sexual Harassment occurred.

7. **CONFIDENTIALITY**

Privacy and dignity of individuals must be respected and matters of Sexual Harassment must be treated with great sensitivity. Therefore, all information pertaining to any complaints of Sexual Harassment should be treated as private and confidential and should not be disclosed to anyone other than the Management, ICC or the parties involved in the complaint and, to a limited extent, only to those persons strictly on a "need to know" basis and who are expected to implement the decisions of the ICC. Anyone breaching this obligation of confidentiality shall be liable to pay the Company a fine of Rupees Five Thousand (Rs.5000).

8. **AMENDMENTS**

The Company may amend this Policy and the related Appendices from time to time to reflect any changes in the applicable laws or even otherwise to ensure that its work environment is free from sexual harassment.



genev capital pvt. ltd.

Appendix A




The names and contact details of the ICC members

Name	Number	Email ID
Ms. Jyothi Kumar	98200 62382	jyothi.kumar@varahalegal.com
Ms. Amita Shah	99677 17555	akshah@deriviumcap.com
Ms. Salomi Ghiya	99677 20555	sghiya@deriviumcap.com
Mr. Kaushal Mehta	99677 12666	kmehta@deriviumcap.com



genev capital pvt. ltd.

 eucharistic congress III, 9/f, 5 convent rd, colaba, mumbai - 400 039. india

Appendix B



Procedures and time frames for filing, investigating and deciding complaints

An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the one or all the Internal Complaints Committee via an email. The email complaint should be sent preferably within 15 days, or at the latest, within 1 month from the date of occurrence of the alleged incident. The employee is required to disclose their name, department, and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.

The Presiding Officer of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

If the Presiding Officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation with the assistance of the Complaints Committee.

Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Chairman & Managing Director as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Chairman & Managing Director will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

72



genev capital pvt. ltd.



July 16, 2019

The District Officer,
Deputy Collector, Mumbai City,
Mumbai City Collectorate,
Old Custom House Fort,
Mumbai - 400001.



Dear Sir,

Subject: Submission of IC members details to District Collector's office.

With reference to above please find attached details of Internal Committee Members (for all the branches) formed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, and Rules made there under in Performa A.

Kindly acknowledge the receipt.

Yours faithfully,

For Genev Capital Private Limited



Authorized Signatory

genev capital pvt. ltd.

📍 eucharistic congress III, 9/f, 5 convent rd, colaba, mumbai - 400 039. india



Prescribed Form A (Internal Committee Constitution Form)

Company Name: Genev Capital Pvt. Ltd.

Company Address: Eucharistic Congress – III, 9 Floor, 5 Convent road, Colaba, Mumbai-400039

Company's Contact Number and E-Mail ID: 66064600, dom@deriviumcap.com

Contact Person Name and Mobile Number: Charmi Jethwa, 9867426424

Sl. No.	Post of Committee Members	Employee Name	Designation	Mobile Number	E-mail ID
1	Presiding Officer	Amita Shah	Head of Wealth Management	9967717555	akshah@deriviumcap.com
2	Member	Salomi Ghiya	Admin	9967720555	sghiya@deriviumcap.com
3	Member	Kaushal Mehta	Vice President	9967712666	kmehta@deriviumcap.com
4	External Member	Jyothi Suresh Kumar	Lawyer	9820062382	Jyothi.kumar@varahalegal.com



Charmi Jethwa

Employer's Signature and Seal

Tips:

1. Once the Internal Committee is established, the Presiding Officer and each Member of the IC shall not hold office for more than 3 years.
2. As per Section 21 of the Act, at the end of every calendar year, i.e. in December, the Internal Committee shall prepare and submit or send an annual report to the **District Officer and Sub District Officer, at Local District Office, Old Custom House, Shahid Bhagat Singh Marg, Fort, Mumbai, Maharashtra-400001**

genev capital pvt. ltd.

📍 eucharistic congress III, 9/f, 5 convent rd, colaba, mumbai - 400 039. india

☎ (+91 22) 62704600 📠 (+91 22) 62704650