

## **PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE POLICY**

<b>Name of The Policy</b>	Prevention of Sexual Harassment at the Workplace
<b>Prepared By</b>	Human Resources Department
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**Version Control**

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## Prevention of Sexual Harassment at the Workplace

### 1. Introduction:

In accordance with Indian and international laws, and the company's core values, Axis Capital is committed to providing a work environment free from sexual harassment at the workplace, as it violates an individual's personal dignity and right to work with freedom.

In order to deal with sexual harassment at the workplace, Axis Capital has set out a Policy for Prevention of Sexual Harassment at the Workplace (hereinafter referred to as the 'POSH Policy') to prevent sexual harassment and to enforce strong disciplinary action in the face of any such occurrence. The policy seeks to create a healthy, safe, and secure work environment that enables employees to work free from unwelcome, offensive, and discriminatory behavior.

This policy explicitly prohibits sexual harassment at the workplace, on or off site, either during or in connection with activities related to work. It defines sexual harassment, determines the standards of behavior expected from all employees, and sets out the mechanisms of redress. Axis Capital will take action consistent with its disciplinary and Sexual Harassment Complaint Mechanism against any employee found to have breached this policy. Axis Capital will also take steps to comply with any specific local laws relating to this issue.

### 2. Objectives of the POSH Policy:

- Provide a work environment free from fear, reprisal, coercion, discrimination, and harassment.
- Express zero tolerance to sexual harassment at the workplace through Prevention, Resolution, and Deterrence of sexual harassment.
- Enable all those working, associated with, and visiting Axis Capital to raise their concerns and make complaints without any fear.
- Provide a clearly stated redressal mechanism for any sexual harassment occurring at the workplace.
- Provide a procedure for resolution, settlement, or prosecution of complaints of sexual harassment.
- Conduct a fair inquiry and reach a reasonable decision in a timely manner.
- Compliance with applicable Law.

### 3. Scope of POSH:

The policy applies to all female employees at the workplace of the Axis Capital. The Policy is deemed to be incorporated in the service conditions of all employees and comes into effect immediately. The terms "employees" and "workplace" shall have the same meaning as defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

### 4. What construes Sexual Harassment?

Sexual Harassment includes, but is not limited to, such unwelcome sexually determined behavior, whether direct or implied, as:

- Physical contact and advances; or
- A demand or request for sexual favors; or
- Sexually colored remarks; or
- Showing pornography; and
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.

The following circumstances, inter alia, if occurring or present in relation to or connected with any act or behavior of sexual harassment, shall also be tantamount to Sexual Harassment:

- Implied or explicit promise of preferential treatment in her employment.
- Implied or explicit threat of detrimental treatment in her employment.
- Implied or explicit threat about her present or future employment status.
- Interference with her work or creating an intimidating or offensive or work environment for her; or
- Humiliating treatment, likely to affect her health and / or safety.

**Please note:**

- The behavior may be either a single incident or continuous unwelcome behavior.
- Intention of the person and/or motive behind the behavior will NOT be taken into account when it comes to classifying/naming behavior as sexual harassment.
- Impact of the behavior on the person is important and will decide whether the said behavior constitutes sexual harassment or not. What one employee may consider as unobjectionable behavior may be not acceptable and comforting to another employee. Core to this policy is how the person perceives/understands /interprets the behavior.
- There will be no justification and defense in this light for sexual harassment. If the person who is registering a complaint was offended, humiliated, or intimidated by the behavior of the offending person or even felt so, it will fall within the scope of this policy.
- Conduct involving the proper exercise of responsibilities or authority related to the provision of advice, the assignment of work, counseling, performance evaluation, discipline, and other supervisory/leadership functions does not constitute harassment.

**5. Complaint Mechanism:**

An Internal Complaints Committee (hereinafter referred to as IC) is functional at Axis Capital to redress Sexual harassment at the workplace.

Please refer Annexure I for members of IC. The Senior most (Grade wise/ Age wise) female staff posted at the unit or in the immediate local geography will be enlisted as the de-facto third member in the inquiry team.

The IC shall be headed by a woman and not less than half of its members shall be women. As per law mandate, an External Member shall be empaneled who is familiar with the issue of sexual harassment at the workplace.

The External Member shall be empaneled through an offer of engagement for a period of one year and shall be entitled to a retainership fee that may be mutually agreed upon.

The period of holding office of the presiding officers and members of the Internal Committee i.e. the IC shall not exceed three years from the date of their nominations.

## **6. Employee Responsibilities:**

- To read and acquaint themselves with the policy, attend training sessions on this subject matter and clear any doubts with HR Department.
- To ensure that their behavior is dignified at all times, and their actions are not the cause of harassment to anybody else.
- To report sexual harassment immediately. However, the complainant should attempt to indicate to the person indulging in the behavior, both verbally and non-verbally, that the behavior is unwelcome and specifically request the person to stop the behavior. (Please refer to Annexure II for behaviors treated under the purview of Sexual Harassment.)
- Any employee who feels she is being sexually harassed, directly or indirectly, or any employee who is aware of such an act having been done can inform and approach any member of the IC, her supervisor or any member of the HR Department. The complaint can be registered through an email to the email ID [poshic@axiscap.in](mailto:poshic@axiscap.in) (Please refer to Annexure III for the complaint format.)
- The complaint should be made within three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The time limit for this may also be extended by another 3 months if the IC is satisfied that the circumstances were such which prevented the aggrieved woman from filing a complaint within the stipulated period and reasons for delay to be recorded in writing.
- The complainant should keep a written record of dates, times, details of the conduct and witnesses, if any.
- During the period of investigation, the aggrieved person may request the IC for temporary separation from the accused.
- The aggrieved person may request the IC to settle the matter through conciliation. However, no monetary settlement shall be made as a basis of conciliation. If a settlement is reached, further inquiry shall not be conducted by the IC.
- If two employees in a reporting relationship are also in a romantic consensual relationship, it is advised that they inform Ethics Department so that appropriate changes can be made in their work roles to prevent allegations of favoritism or abuse of power.
- Anonymous complaints are discouraged. However, the IC may make reasonable attempts to address anonymous complaints received by it.
- The complainant as well as the persons going through the process of an inquiry must maintain utmost confidentiality of the matter being resolved.

**7. Complaint Resolution:**

- On receipt of the complaint, the IC shall immediately send an acknowledgment to the complainant.
- The IC shall share the complaint copy with the respondent within 7 working days from date of receipt of complaint. IC shall provide 10 working days' time to respondent to reply.
- IC will act as FFT – Fact Finding Team (FFT) and will start its inquiry immediately on receipt of the respondent reply and in case of non-receipt, not later than the 11th working day.
- Based on the findings, IC will conduct a meeting to decide about the further action proceedings pertaining to the case.
- In case of issuance of Show Cause Notice (SCN) to the respondent, the employee will be given 14 working days to respond to the SCN from the date of receipt of SCN.
- Upon receipt of SCN reply, IC will call the accused employee for a personal hearing before the IC and an opportunity will be given to him / her to give an explanation. This explanation shall be recorded by the IC. If the SCN reply is not received within 14 days, IC will provide the accused employee with three opportunities for a personal appearance. In case of non-compliance with this, IC will take an ex-parte decision against the accused.
- After the Personal Hearing, the IC may conclude the case by either closing it without punishment, if the allegations of Sexual Harassment are not proved, or specify punishment as appropriate and recommend the same for implementation.

**8. Disciplinary Action:**

- Axis Capital will take action consistent with its disciplinary and Sexual Harassment Complaint Mechanism against any employee found to have breached this policy. Once the investigation of a case is complete, the IC may recommend disciplinary actions ranging from a warning to outright dismissal if the person against whom the complaint has been made is found guilty. The nature of punishment shall vary from one case to another and will largely be determined by the gravity of the offence.
- In all situations, the behavior of the person charged with sexual harassment will be strictly monitored by the IC and / or by the Ethics Department during the post inquiry phase.
- Repeated incidents and/or serious incident(s) of sexual harassment may lead to summary dismissal.

**9. Criminal Proceedings:**

- Where such conduct amounts to a specific offence under the IPC or under any other law, Axis Capital may initiate appropriate action in accordance with law by making a complaint with the appropriate authorities, based on the investigation carried out by the IC.
- Axis Capital would ensure that the complainant, witnesses, or the person(s) against whom the complaint is made are not victimized or discriminated against while dealing with complaints of sexual harassment.

**10. Fair use of Policy:**

Axis Capital is strongly opposed to the misuse of this policy. Therefore, the complainant must be prepared to go through a fair process of inquiry by the IC. In case the complaint is found to be done with malicious intent, the IC may recommend counselling for the complainant and also suitable action to prevent recurrence. The Complainant shall, if deemed fit, be liable for appropriate disciplinary action by Axis Capital.

**11. Ensuring Well Being of the Complainant:**

- Axis Capital, on the recommendation of the IC, may seek appropriate expert advice and arrange for help and support for the complainant in the form of counselling and / or medical attention.
- Permission for leave of absence may be given to the complainant by Axis Capital if necessary. If the leave entitlement is exhausted, additional leave may be granted to alleviate the impact of sexual harassment. Axis Capital and / or the Ethics Department shall take a final decision on this.
- Post completion of the proceedings and depending on the gravity of the case, the IC may, if felt appropriate, award compensation to the aggrieved woman from the salary of the respondent.

**12. Protection of User of this Policy:**

Any employee, who, in good faith, lawfully and truthfully, seeks advice, raises a concern, or reports misconduct is following this policy and doing the right thing. Axis Capital will not allow retaliation against that person. Individuals engaging in retaliatory conduct will be subject to disciplinary action, which may include termination. If you suspect that you or someone you know has been retaliated against for raising an issue, immediately contact the HR Department or IC.

**13. Administrative:**

Axis Capital believes that all employees, including other individuals who have dealings with Axis Capital, have the right to be treated with dignity. To ensure the same, Axis Capital is committed to the implementation of the objectives of this policy such that sexual harassment incidents can be reported, without fear or reprisal, and appropriate action is taken against the guilty parties.

The sexual harassment policy is subject to change periodically as and when required or as per change in the law of the land.

**ANNEXURE I**  
**Current members of the Internal Committee (IC)**

<b>Sr. No</b>	<b>Name</b>	<b>Designation</b>	<b>Department (IC Role)</b>
1	Ms. Neeru Bafna	Executive Director	CS - Human Resources (Chairperson & Presiding Officer)
2	Ms. Vilma Gangahar	Executive Director	CS – Compliance officer (Member)
3	Mr. Sumit Kishore	Executive Director	IE – Research Analyst (Member)
4	Mr. Ashish Nigam	Managing Director	IB- Coverage (Member)
5	Ms. Samriti Makkar Midha	External Member	Mumbai (Member)

**ANNEXURE II**

The following types of behavior, if it occurs, or is present in relation to, or is connected with any act or behavior of sexual harassment, shall be treated under the purview of sexual harassment-

- Sexually colored remarks and verbal sexual innuendos, such as jokes, suggestions, or hints about sexual behavior, comments about physical appearance etc.
- Physical contact such as pushing, grabbing, jostling, touching the body and / or making such advances.
- Non-verbal communication such as winking, leering, staring, gestures of a sexual nature, removal of clothing to display parts of the body (flashing).
- Display, giving or sending of pornography in the form of pictures, books, magazines, postcards, photos, sculpture, drawing, painting, animation, sound recording, film, video, and video games or offensive and / or abusive language.
- Demands and /or offers and /or requests, such as for sexual favors, sexual attention, or to spend time together.
- Following, stalking, persistent visiting, telephoning, sending cell-phone messages or emails, chat messages, or other invasions of personal privacy including physical confinement against one’s will.
- Act or conduct by a person, such as spreading rumors about sexuality, gender and / or character of another person, which creates an environment at workplace that is hostile or intimidating to the latter.

- Any other physical, verbal, and non-verbal behavior which is sexual in nature done personally and/ or via documents, or by telephone, cell-phone messages, website communication, or emails.
- Actual or attempted sexual assault or rape, sexual threat, or coercion, and offering benefit in exchange for sexual favors.
- Implied and overt promise of promotion or better evaluation or preferential treatment for that employee
- Implied or overt threat of detrimental treatment in that employee's employment or an implied or overt threat about the present or future employment status of that employee and includes the creation of a hostile working environment
- Any conduct that interferes with an employee's work or creates an intimidating, hostile or offensive work environment
- Any conduct that can be humiliating and may constitute a health and safety problem
- Such discriminatory conduct for instance when the person has reasonable grounds to believe that his/her objection would disadvantage him/her in connection with his/her employment or work including recruiting or promotion or when it creates a hostile work environment.
- Adverse consequences that might be visited if the complainant does not consent to the conduct in question or raises any objection thereto.

**ANNEXURE III**
**Format of the Complaint:**

Sr. No.	Query	Particulars
1)	Name and Employee ID of Complainant	
2)	Address and Contact Details of the Complainant	
3)	Designation of the Complainant	
4)	Immediate supervisor of the Complainant	
5)	Branch Name/ Unit/ Office Location of the Complainant	
6)	Name and Employee ID of Respondent	
7)	Address and Contact Details of the Respondent, if available	
8)	Designation of the Respondent, if known	
9)	Immediate supervisor of the Respondent, if known	
10)	Branch Name/ Unit/ Office Location of the Respondent, if known	
11)	Details of the incident(s)	
12)	Date and time of incident/s (If more than one, kindly mention all the dates and times)	
13)	Place of incident/s (If more than one, kindly mention all the places)	

14)	Witnesses to the incident/s, if any along with their Employee ID (If more than one, kindly mention all the witnesses with their Names, role, Branch Name/Unit/Office Location)	
15)	Any oral or written evidence of the incident (attach copies of the documents, if any)	
16)	Names and addresses of person(s) who the Complainant confided to about the incident, if applicable	
17)	Any further relevant details	
I state that the information as stated above is true and accurate and may be shared with the Respondent/s as per the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.		
Date:		
Signature of Complainant		