

Prevention of Sexual Harassment of Women at Workplace

(1) The Bank is committed to provide a safe and congenial work environment to its women employees and ensure that they are not subjected to sexual harassment. Sexual Harassment at work place against any women employee will be treated as offence and also misconduct, which needs to be prohibited and prevented with appropriate measure. In accordance with the provisions mentioned in section 2(h) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013, Bank has constituted “**Internal Committees**” (IC) at Head Office & Zonal Offices level.

Sexual harassment at any workplace in the Bank is prohibited and any violation or breach of the prohibition of sexual harassment shall invite disciplinary action against the violator. In terms of the Regulation 24A of Bank of Maharashtra Officer Employees’ (Conduct) Regulations, 1976 and also as per Clause 5(t) to Memorandum of Settlement on Disciplinary Action Procedure for workmen.

(2) Composition OF Internal Committee (IC) at Head office level -

- a) A Presiding Officer who shall be a woman employee at a senior level at the workplace amongst the employees (Preferably not less than the rank of Deputy General Manager / TEGS-VI) .
- b) Not less than two members from amongst the employees preferably committed to the cause of the women or who have had experience in social work or have legal knowledge.
- c) One member from amongst non-government organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- d) One male member in the committee as Ex-officio member. (Preferably not less than the rank of Assistant General Manager / SMGS-V)

It should be ensured that at least one half of the total members so nominated shall be women.

(3) Composition of Internal Committee at zonal (IC) office level -

- a) A Presiding Officer who shall be a woman employee at a senior level at the workplace amongst the employees (Not below the rank of Scale-III).
- b) Not less than two members from amongst the employees preferably committed to the cause of the women or who have had experience in social work or have legal knowledge (depending on the number of employees in the Zone)
- c) One member from amongst non-government organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- d) One male member in the Committee as Ex-officio member. (Preferably not less than the rank of Scale-III).

(4) Procedure for dealing with complaints by Internal Committee (IC) :

(i) Lodgment and Receipt of Complaint :

An aggrieved woman (hereinafter referred as the "complainant") may make in writing, a complaint of sexual harassment at workplace to the respective IC, at HO/ZO so constituted, within a period of three months from the date of occurrence of the alleged incident and in case of a series of incidents, within a period of three months from the date of last such incident, with all material facts. However, for genuine reasons, the Presiding Officer of the IC may, if satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period, condone the delay in preferring the complaint, up to a further period of three months. If the complainant addresses her complaint to the HO/ZO or to any Branch, the complaint may in turn be handed over, immediately, to the Presiding Officer of the IC, as the case may be, for further action. In case the complainant is unable to make a complaint in writing, the Presiding Officer or any member of IC shall render reasonable assistance to the complainant for making a complaint in writing.

In other circumstances,

- ❖ Where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by –
 - a) Her relative or friend; or
 - b) Her co-worker; or
 - c) An officer of the National Commission for Women or State Women's Commission; or
 - d) any person who has knowledge of the incident, with the written consent of the aggrieved woman;
- ❖ Where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by –
 - a) her relative or friend; or
 - b) a special educator; or
 - c) a qualified psychiatrist or psychologist; or
 - d) the guardian or authority under whose care she is receiving treatment or care; or
 - e) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- (ii) Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;

(iii) Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

(5) The Internal Committee is required to complete the inquiry within a time period of 90 days of receipt of the complaint. The parties shall during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

(6) For the purpose of conducting inquiries, the Internal Complaints Committees are vested with the same powers that of **Civil Court under Code of Civil Procedure, 1908** while trying a suit in respect of the following –

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

(7) Internal Committee shall take appropriate care in conducting the enquiry, applying principles of natural justice and shall arrive at its conclusion, based on evidences/witnesses, in unambiguous terms and shall make its recommendations keeping in mind the provisions of the Act as well as procedure laid down in regulation 1976/Settlement dated 10.04.2002.

(8) In case the complaint has been found proved then the Committee shall recommend:

- a) To concerned Disciplinary Authority to take action in accordance with the provision of Bank of Maharashtra Officer Employees' (Discipline & Appeal) Regulations, 1976 / Bipartite Settlement 10.04.2002 as applicable to the respondent as the case may be.
- b) The Committee is empowered to exercise the powers under Civil Procedure Code and may recommend to the Bank appropriate penalty / recovery of salary etc. as per the provisions of the Act.

(9) The Disciplinary Authority shall take action based on the report & recommendation of the internal committee within 60 days of receipt of the report. The disciplinary action against such officials / complainant may include a written apology, warning, reprimand or censure, withholding promotion, withholding of increments, terminating from service or undergoing a counselling session.

(10) **Appeal** : An appeal by an employee of the Bank, who is either a complainant or a defendant or a witness against the order of the DA or one who is subjected to disciplinary action for breach of confidentiality, shall be made and dealt with as per the provisions of Bank of Maharashtra (Discipline & Appeal) Regulation 1976 / Settlement dated 10.04.2002 and they may file appeal against acceptance of the recommendations within 90 days from the date of the recommendations. The appeal so made shall be disposed of by the Disciplinary Authority as early as possible but not later than 90 days of such filing.

(11) **False or malicious complaint:** Any false or malicious complaint of sexual harassment or production of forged or misleading document by the complainant and false evidence or production of forged or misleading document by any witness will be treated as misconduct under the D&A Regulations 1976 / extant guidelines of Bipartite Settlement and disciplinary action will be taken under the above regulations/settlement against the complainant/witness. If Internal Committee (IC) arrives at a conclusion that the allegation against the respondent is false or malicious or the complainant has knowingly made a false complaint, the IC may recommend the disciplinary authority (DA) to take appropriate action under the D&A Regulations 1976 / Settlement dated 10.04.2002

(12) **Confidentiality of complaint and proceedings**

The contents of the complaint, identity and addresses of the complainant, defendant and witnesses, any information relating to conciliation and enquiry proceedings, recommendation of IC and action taken by the Disciplinary Authority shall remain strictly confidential. Hence, all communications exchanged and enquiry proceedings / meetings shall be undertaken / conducted in a strictly confidential manner.

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Note :- The detailed guidelines of prevention of sexual harassment of women at workplace has been communicated by the Bank vide circular no. AX-1/HRM/BM/POSH/Cir_215/2022-23, dated 02.03.2023). Guidelines are updated in the policy upon receiving any directions from Govt.of India from time to time.

CONSTITUTION OF INTERNAL COMMITTEE (IC) AT H.O.

SN	NAME / CADRE / <i>DESIGNATION IN THE COMMITTEE</i>	E-MAIL ADDRESS	CONTACT DETAILS
1	Mrs. Kirti Sachin Shintre Deputy General Manager, Strategy, Head Office, Pune <i>Chairperson</i>	dgmstrategy@mahabank.co.in	020-25614316
2	Mr. Dhananjay Biswas AGM, HRM Dept. <i>Male Member</i>	agmhrm@mahabank.co.in	020-25614221
3	Mrs. Moumita Paul Chief Manager, HRM <i>Member Secretary</i>	cmhrm@mahabank.co.in	020-25614553
4	Mrs. Nehal Rawat Manager, Company Secretary Head office <i>Member</i>	-----	020-25614330
5	Mrs. Freny Joseph, Senior Manager, Security Dept. <i>Member</i>	-----	-----
6	Dr. Sushama Keskar Vice Chairman, Shewalkar Education Society Pune <i>External Member</i>	-----	-----

(IC's constituted at zonal level has been displayed in the notice board of Branches / offices)