

# **POLICY ON PREVENTION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE**



## 1. PURPOSE

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail. Credifin Ltd provides equal employment opportunity to all its employees and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The sexual harassment of a woman results in violation of her fundamental rights to equality under Articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 of the Constitution of India and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment. Credifin as a responsible corporate does not tolerate any form of harassment or discrimination.

The "Policy on Prevention of Sexual Harassment of women at workplace", Credifin Limited intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

## 2. OBJECTIVE

- 1) To promote a safe and secure work environment for women including but not limited to working within the premises of the Company
- 2) The policy aims at defining sexual harassment and providing a clearly stated codified redressal mechanism for any sexual harassment occurring at workplace. The main objective of the policy is to enable all those working with the Company to raise their concerns and make complaints without any fear and be heard in a fair and unbiased manner.

## 3. SCOPE

This Policy shall deal with all allegations/complaint(s) of Sexual Harassment committed by an Employee(s) against a woman as referred herein above, irrespective of whether Sexual Harassment is alleged to have taken place within or outside the Company premises but that constitutes workplace. All Complaints in connection with alleged Sexual Harassment of women will be addressed in compliance and in accordance with the provisions of Sexual Harassment at workplace (Prevention, Prohibitions and Redressal) Act 2013.

## 4. DEFINITIONS

- **"Sexual Harassment"** includes any one or more of the following unwelcome acts, incidents or behaviour (whether directly or by implication) namely:

1. Physical contact and advances; or

2. A demand or request for sexual favours; or
  3. Making sexually coloured remarks; or
  4. Showing pornography; or
  5. Any other unwelcome physical, verbal or nonverbal conduct of sexual nature.
- Incident: means an incident of Sexual Harassment
  - **Employee:** means a person employed at a workplace for any work on regular, temporary, 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.
  - **Employer/ Company:** refers to the Managing Director and /or Head of Human Resource Function of Credifin Limited
  - **Aggrieved Woman:** means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
  - **Respondent:** A person against whom the aggrieved woman has made complaint under this Policy.
  - **Workplace:** Includes all offices and branches of the Company, all instances reported within the Company and in any place visited by the employee arising out of or during the course of the employment including transportation provided by the Company for undertaking such journey.

## **5. POLICY STATEMENT**

- a) All Credifin employees will maintain high standards of dignity, respect, and positive regard for one another and with all those to whom this policy is applicable, in all their dealings.
- b) All Credifin employees will understand and appreciate the rights of the individual to be treated with dignity.
- c) All Credifin employees are required to maintain a work environment, which is free from any kind of harassment.
- d) Credifin employees will refrain from committing any acts of sexual harassment at workplace.
- e) Allegations of sexual harassment will be dealt seriously, expeditiously, sensitively and with confidentiality.

f) Credifin employees will be protected against victimization, retaliation for filing or reporting a complaint on sexual harassment and will also be protected from false accusations.

## 6. PROCESS

### Internal Complaints Committee (ICC)

The Internal Complaint Committee shall comprise of as many members as the management may nominate from time to time, provided that at least one-half of the total number of Members shall be women.

The present Members of the ICC shall comprise of the following:

- (i) One Presiding Officer who shall be a senior level woman employee of the Company;
- (ii) Two employee members preferably committed to the cause of women or who have experience in social work or have legal knowledge;
- (iii) One outside member from amongst Non-Government Organization or Association committed to the cause of women or a person familiar with the issues relating to sexual harassment, whose fee shall be fixed by the management and revised from time to time.
- (iv) Each member of the Internal Complaints Committee shall hold the position for three (3) years from the date of nomination.
- (v) The Presiding Officer or the members can be removed from the Internal Complaints Committee due to contravention of any of the provision of the Act or other disqualifications as defined in the Act:

The Board of Directors may re-constitute the ICC as may be required from time to time, within the stipulated requirements under the Act.

The members of Internal Committee of the Company are as below:

| Internal Complaint Committee |                     |                   |
|------------------------------|---------------------|-------------------|
| 1.                           | Ms. Manika Arora    | Presiding Officer |
| 2.                           | Ms. Divya Jain      | Member            |
| 3.                           | Mr. Rohit Sabharwal | Member            |
| 4.                           | Mr. Kumar Uttam     | Member            |

## **7. GRIEVANCE PROCEDURE**

a) An aggrieved woman ("Complainant") may lodge a complaint of Sexual Harassment ("Complaint") against an ("Respondent") who could be an employee or anyone else upon whom this policy is applicable, with any of the members of the Panel or through whistle Blower platform within time not later than three months from the date of occurrence of the alleged incident.

b) Aggrieved person may also email the complaint (refer Annexure 1) addressed to the Presiding Officer at [compliance@credif.in](mailto:compliance@credif.in).

c) If the Complainant feels that she cannot disclose her identity for any reason with the Panel members, she can address the complaint to the Designated Director/Whistle officer of the Company or management, whereupon the process shall be undertaken in accordance with law.

d) Such a Complaint shall necessarily be in writing or video her email and the Complainant shall sign at the foot of each page of the Complaint.

e) The Complaints Committee will hold a meeting with the Complainant within a period of seven days of the receipt of the complaint and advance intimation in writing will be given to the Complainant of the same. However, in the event the complaint does not fall under the purview of Sexual Harassment or the Complaint on the face of it does not disclose an element or offence of Sexual Harassment, the Complaints Committee may drop the complaint after recording the reason/s thereof and shall subsequently communicate the same to the Complainant, in writing.

f) A copy of the complaint shall be shared with the Respondent with some advice to submit his/ her reply along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 (ten) working days from the date of receipt of the documents.

g) The Complainant shall be granted an opportunity to record her statement to prove her allegations and may record the statement of an employee as witness, and produce corroborative material with documents, etc., to substantiate her complaint/ allegations.

h) The Respondent shall be granted an opportunity to record his/ her statement and produce evidence in his/ her defence.

i) The Internal Complaint Committee have the right to close the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved (complainant) or Accused (respondent) fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the. Presiding Officer, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 (fifteen) days in advance, to the party concerned.

In case the complaint made by the complainant is found to be false and malafide at any stage, it shall amount to misconduct and the complainant shall be liable for appropriate disciplinary action as per the Service Rules.

k) The Internal Complaints Committee shall complete the "Enquiry" within 90 days from receipt of the complaint and submit its report with its findings to the Management within a period of ten days from the date of completion of the enquiry and such report be made available to the concerned parties.

l) In case the Complainant fails to prove her allegations made in her complaint, the matter shall stand closed.

m) In case the Respondent is found guilty of the act of sexual harassment as mentioned in the complaint, the management shall take appropriate action him in accordance with the applicable provisions of law.

n) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.

o) Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made and/or findings of the ICC, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

## **8. CONCILIATION:**

The IC before initiating an inquiry into the Complaint and at the request of the aggrieved woman takes steps to settle the matter between her and respondent through conciliation, except monetary settlement. IC shall record the settlement so arrived and forward the same to the employer to action on the specified recommendations and also provide the copies of the settlement to aggrieved woman and the respondent. Where the settlement is arrived at under the process of conciliation no further inquiry shall be conducted by the IC.

## **9. INQUIRY AND ACTION**

9.1. The IC will initiate an inquiry within 30 days of receiving the written complaint and make an inquiry into the Complaint in accordance with the principles of natural justice;

9.2. During the pendency of an inquiry, the IC shall, on the request made by the Complainant, grant interim relief in accordance with the provision of section 12 of the Act;

9.3. Actions during pendency of inquiry Transfer the victim/respondent to another location/work place.

9.4. Grant leave to the victim up to a period of three months (In addition to the leave otherwise entitled)

9.5. Grant any other relief as found suitable by IC.

9.6. Where both the Complainant and the Respondent are Employees of the Company, the IC will give each of them an opportunity of being heard at the time of inquiry, and will make available to each, a

copy of its findings enabling them to make representation in respect of such findings, before the IC;

9.7. The IC may terminate the inquiry proceedings or decide ex-parte on the Complaint, if the Complainant or the Respondent does not, without sufficient cause, present himself/herself for three consecutive hearings convened by the IC;

9.8. The quorum for convening a meeting of the IC for the purpose of an inquiry shall be three (3) members of the IC, including the presiding officer; at least two of these three members will be women.

9.9. The IC shall complete the inquiry within a period of ninety (90) days and communicate its findings and its recommendations for action to the Company's management in a report, within ten (10) days of completing the inquiry;

9.10. A copy of the report shall also be made available to the Complainant and the Respondent;

9.11. The report of the IC shall be treated as a final report on the basis of which the Respondent can be awarded appropriate punishment straightaway within sixty (60) days of its receipt. In the event the IC concludes that allegations of Sexual Harassment have been established, it shall in its report to the Company, recommend that action against the Respondent be taken in accordance with the Company's service rules. The Company's Management will direct appropriate action in accordance with the recommendation proposed by the IC;

9.12. In case, the IC finds the degree of offence to be coverable under the Indian Penal Code, then this fact shall be mentioned in its report and if required appropriate action shall be initiated by the management of the Company or on the request of the Complainant, for making a Police complaint;

9.13. In the event, the Complaint does not fall under the purview of Sexual Harassment or the allegations are not established, the IC shall recommend to the Company that no action is required to be taken and close the enquiry by recording reasons in writing;

9.14. None of the parties can be represented by a lawyer during the proceedings;

9.15. The IC shall be governed by the Act and the Rules.

## **10. APPEAL**

Any person aggrieved by the recommendations or non-implementation of the recommendations made by the IC, may prefer an appeal, in accordance with the law within ninety (90) days of the recommendations.

## **11. CONFIDENTIALITY**

Any information relating to the contents of the complaint, the identity & addresses of the aggrieved woman, respondent & witnesses, conciliation, inquiry proceedings, recommendations of the Internal Committee & the action taken by the company, will not be published, communicated or made known to the public, press or media in any manner. Where any person entrusted with the duty to handle the complaint, inquiry, recommendations or actions contravenes with this clause, he/she will be liable for

action as per Confidentiality clause in the service rules applicable to him/her. The provisions of Right to Information Act, 2005 shall not be applicable.

## **12. Management Responsibilities**

- a) Display the policy on the Company's intranet with names and contact details of all members of the IC.
- b) Provide necessary facilities to the IC for dealing with the complaint and conducting an inquiry.
- c) Assist in securing the attendance of respondent and witnesses before the IC and make available such information to the IC in context of the complaint.
- d) Provide assistance and initiate action to the aggrieved woman if they so choose to file a complaint against the respondent in relation to the offence under the IPC or any other law for the time being in force;
- e) Treat sexual harassment as misconduct under the code of conduct and initiate action for such misconduct;
- f) Management on the recommendation of the complaints committee and / or the HR department may seek appropriate expert advice and arrange for help and support for the recipient in the form of counselling and / or medical attention.
- g) Information pertaining to the number of cases filed and their disposal, as applicable to be included in the Annual Report of the Company.
- h) Company will organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the 2013 Act and orientation/capacity building programmes for the members of the IC.
- i) Display at any conspicuous place at the workplace' the penal consequences of sexual harassments; and the constitution of IC.

Annexure 1 – Incident Reporting Format

| Annexure 1 - Incident Reporting Format |                                                                                                                                                                                                           |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                                      | Date of Filing Complaint <input type="text"/>                                                                                                                                                             |
| 2                                      | Details of Complainant:<br>Name: <input type="text"/> Emp Code: <input type="text"/><br>Location: <input type="text"/> Department: <input type="text"/>                                                   |
| 3                                      | Complaint Made Against:<br>Name: <input type="text"/> Emp Code: <input type="text"/><br>Location: <input type="text"/> Department: <input type="text"/>                                                   |
| 4                                      | Nature of Harassment (Tick as Applicable)<br>Verbal <input type="checkbox"/> Visual <input type="checkbox"/> Physical <input type="checkbox"/> Others <input type="checkbox"/>                            |
| 5                                      | If Others, pls specify: <input type="text"/>                                                                                                                                                              |
| 6                                      | Description of the Incident<br>Date: <input type="text"/><br>Time: <input type="text"/><br>Place: <input type="text"/><br>Witnesses: <input type="text"/><br><br>Sequence of Events: <input type="text"/> |
| 7                                      | Signature of the Complainant: <input type="text"/>                                                                                                                                                        |
| 8                                      | (To be Filled by Internal Committee)<br><br>Findings of the Internal Committee: <input type="text"/><br><br>Recommendations of the Internal Committee: <input type="text"/>                               |
| 9                                      | Signature of Members:<br>Presiding Officer: <input type="text"/><br>Member 1: <input type="text"/><br>Member 2: <input type="text"/><br>Member 3: <input type="text"/><br>Member 4: <input type="text"/>  |

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