



CRESCENDO FISERVE PVT. LTD.

Formerly Known As Sugrahaa Finserve Pvt. Ltd.

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Crescendo Finserve Private Limited (CFPL)

Policy for Prevention of Sexual Harassment (POSH) at Workplace

(Version 1.0)

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Crescendo Finserve Private Limited (CFPL)

Policy for Prevention of Sexual Harassment (POSH) at Workplace

1. Introduction

1.1 The Company's quest for competitive excellence reinforces its commitment for lawful and ethical conduct and adhering to the core values, viz. integrity, honesty and respect for each other.

1.2 CFPL is committed to provide the right work environment which ensures that every employee is treated with dignity, respect and equitable treatment. The environment should also be conducive to their professional growth and encouraging equality of opportunity. The Company shall not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

1.3 This Policy for Prevention of Sexual Harassment at Workplace has been formed to prohibit, prevent or deter the acts of sexual harassment at the Company's workplace and to provide the procedure for redressal of complaints pertaining to any incident of sexual harassment.

2. Applicability



2.1 The Policy shall be applicable to all the employees (including those appointed on temporary, ad hoc or daily wage basis, either directly or through an agent) and also to third parties associated with **Crescendo Finserve Private Limited ('CFPL' or 'The Company')**. The third party mentioned above shall include vendors, customers, consultants, auditors and visitors, etc, who may be subjected to sexual harassment at the workplace(s) of the Company including its branches and/or field locations. Such workplace shall also include any place visited by the employee arising out of or during the course of employment including transportation/accommodation provided by the Company for undertaking the visit.

2.2 This Policy is deemed to be incorporated in the service conditions of all employees of the Company and comes into effect immediately on their joining.

3. Definition of 'Sexual Harassment'

3.1 Article 51A(e) of the Constitution of India, inter alia, imposes on every citizen by way of fundamental duty the responsibility to renounce practices derogatory to the dignity of women. Having regard to the definition of 'human rights' in Section 2(d) of the Protection of Human Rights Act 1993, the Hon'ble Supreme Court of India, in the case of Vishaka & Others Vs. State of Rajasthan & Others [JT 1997 (7) SC 384], laid down Guidelines and Norms to ensure prevention of sexual harassment of women.

3.2 In February 2020, the Hon'ble Supreme Court in a Bench observed in a verdict that *"Sexual harassment at the workplace is an affront to the fundamental rights of a woman to equality under Articles 14 and 15 and her right to live with dignity under Article 21 of the Constitution as well as her right to practice any profession or to carry on any occupation, trade or business."*

3.3 According to the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act 2013 ('The Act') - *"Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:*

- *Physical contact and advances, or*
- *A demand or request for sexual favours, or*
- *Making sexually coloured remarks, or*
- *Showing pornography, or*
- *Any other unwelcome physical, verbal or non-verbal conduct of sexual nature."*

3.4 Further, the following circumstances, if it occurs or is connected with any act or behaviour of sexual harassment, may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in the employment, or
- Implied or explicit threat of detrimental treatment in the employment, or
- Implied or explicit threat about the present or future employment status, or
- Interference with work or creating an intimidating or offensive or hostile work environment, or Humiliating treatment likely to affect the employee's health, moral or safety.



4. Role of the Company and its Commitment

The Company:

- shall display this Policy on its website. This Policy shall also consist of the names and contact details of the members of the **Internal Complaints Committee** constituted by the Company and the procedure for lodging complaint.
- shall impose appropriate punishment on the offender (if he/she is an employee; on others, the Company may not have any locus standi except lodging a complaint with an appropriate authority) after due investigation and recommendation of the Internal Complaints Committee as per the provisions of the said Act.
- shall maintain a proper record of the cases dealt with and the actions taken.
- shall publicize its 'Policy for Prevention of Sexual Harassment at Workplace' amongst all the employees by different means and shall hold training/ awareness sessions for its workers and staff, wherever required.
- is committed to maintain full confidentiality of the cases both for the victim and for the alleged offender and is also committed for time bound actions.

5. Constitution of Internal Complaints Committee (ICC)

5.1 The Internal Committee (for dealing with the complaints of sexual harassment at the workplace for the employees and third parties) shall be headed by a senior-level woman employee (Presiding Officer) with not less than two employee members preferably committed to the cause of women or who have had experience in social work or have legal knowledge. However, in case of non-availability of a senior level women employee in a unit, such a woman employee may be nominated from other offices or administrative unit of the Company to act as the Presiding Officer. Further, to prevent the possibility of any undue pressure or influence from senior levels, the Committee shall involve an outside member having expertise on issues relating to sexual harassment; such person shall either be a social worker with minimum 5 years' experience in related field, or a person familiar with labour, service, civil or criminal law. However, at least one-half of the total members shall be women. The Committee shall be governed by rules as framed by legislations enacted from time to time.

5.2 The Presiding Officer and other Members shall hold their position in the Committee for a maximum period of 3 years from the date of their appointment. A member shall be removed from the Committee in case he/she is:

- found to have contravened the provisions of the Policy, or
- found to have indulged in rampant abuse of his/her position, or
- convicted of any offence or during pendency of inquiry into an offence under any Law, or found guilty in any disciplinary proceedings or during pendency of a disciplinary proceeding.



5.3 In terms of the relevant Act, the ICC shall be constituted at all administrative units or offices located at different places. Accordingly, the MD/CEO shall constitute Committee at its major Offices/ locations of operation.

6. Procedure for lodging and handling Complaints of Sexual Harassment

Given that this Policy highlights a preventive focus, there is a need to distinguish between an informal and formal process.

6.1 Procedure for Informal Grievance Redressal:

A sense of restraint and responsibility on the part of all concerned is critical for effective functioning of these guidelines. The suggestive preventive/ informal process that shall be adopted is as under:

- When an incident in the nature of sexual harassment occurs, the victim of such conduct may convey to the person who is the cause of distress, about what that person's actions, words or behavior are causing and also express in no uncertain terms that such behavior is not appreciated. What is important is the 'Way' a particular behavior, action or word is perceived, 'Intent' is of no consequence.
- Informal process generally involves an intermediary for resolving a problem. The second step shall be to approach someone within the Company – a senior employee (i.e. Head of Department/ HR/ Woman representative of the location) as the point of first contact for seeking informal support/ intervention to stop unwelcome behavior. The intermediary would then try and counsel/ talk it over to the person who is the cause of distress with a view towards closing the matter amicably.
- In any case, all such incidents along with the resolution need to be reported to the Head of HR and the matter will be closed.

However, in the event of the complaint not being resolved, it would need to be escalated to the Internal Complaints Committee.

6.2 Lodging a Formal Complaint with Internal Complaints Committee

6.2.1 Any aggrieved employee or a third party as defined in para 2.1 of this Policy 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 Presiding Officer of the Committee in writing with his/her signature or through e-mail, **preferably within 15 days, but not later than 3 months of occurrence of the (last) incident.** The Complainant employee shall disclose his/her name, department/division and location of working, to enable the Presiding Officer to contact her/him for taking the matter forward.

6.2.2 In case the aggrieved person is unable to file the complaint for any reason, the same may be lodged by any other person having knowledge of happening of such incident, with the written consent of the aggrieved person.



6.2.3 The application must contain all the details of the incident, as well as the name of the Respondent (alleged offender).

6.3 Convening meeting of Internal Complaints Committee

6.3.1 After receiving the complaint, the following steps will be initiated:

- Presiding Officer of the Committee shall go through the complaint and evaluate whether there is a prima facie case falling under the purview of sexual harassment.
- If satisfied, she will convene a committee meeting **within a week** from receipt of the complaint, to discuss and take appropriate steps for resolution.
- Committee members shall hear the Complainant and record the allegations.
- If during the meeting, the alleged offense is found to be of serious nature, then an appropriate law enforcement agency could be intimated, in consultation with the Company's legal adviser.

6.3.2 Before initiating an enquiry, the Internal Committee may, however, at the request of the Complainant, take steps to facilitate a settlement between him/her and the Respondent through conciliation, provided no monetary settlement is made a basis for such conciliation. In such a case, the Committee shall record the settlement and forward it to the Company's Managing Director (MD) for information and necessary action.

6.3.3 In case no settlement is agreed between the parties, ICC shall proceed with the inquiry proceedings, initiating the following steps:

- A notice will be sent to the Respondent with details/copies of the complaint received from the Complainant.
- The Respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, if any, as early as possible, but not exceeding 10 (ten) days from the date of receipt of the documents/complaint.
- The Complainant shall have the option to file a rejoinder to the reply filed by the Respondent within a period not exceeding 7 (seven) days from the date of receipt of the Respondent's reply or directly proceed for the personal hearing of the matter.

6.4 Confidential Investigation

6.4.1 During the enquiry/ investigation, the Complainant may also submit any corroborative material as evidence, to substantiate the complaint; the documents can be made available either in printed, handwritten or electronic mode.

6.4.2 The Committee shall ensure that full confidentiality is maintained during the investigation. No one other than the Complainant, the Respondent and the Witness(es), if any, brought in by both the parties, will be made aware of the investigation.

6.4.3 All colleagues and witnesses who participate in the Committee proceedings must keep all details thereof confidential.



6.5 Action during Pendency of Inquiry

During the pendency of an inquiry, on a written request made by the Complainant, the Internal Committee may recommend the following:

- transfer the Complainant or the Respondent to any other Workplace
- grant leave to the Complainant up to a period of 3 (three) months or grant such other relief as may be prescribed under applicable law
- restrain the Respondent from reporting on the work performance of the Complainant or writing his/ her confidential report and assign the same to another officer.

6.6 Principle of Natural Justice

6.6.1 The principle of natural justice shall be scrupulously followed during the investigation. The Internal Committee shall quickly proceed with the enquiry and both the parties shall be given an opportunity to represent their case and produce witnesses or evidence in support of their allegations and defense.

6.6.2 The Committee shall have the powers to summon and enforce the attendance of any employee for conducting an examination, request the discovery and production of documents and/or any other matter which may be prescribed and deemed necessary for the inquiry process.

6.6.3 The Complainant and the Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Committee. However, they may be accompanied by a colleague for psychological or emotional support. Such colleague will not speak at or otherwise interfere with the proceedings of the Committee unless permitted to do so by the Committee.

6.6.4 The Committee shall also have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails, without satisfactory reason, to present themselves, for three consecutive hearings convened by the Presiding Officer. Such termination or ex-parte order may not, however, be passed without giving a notice in writing, 15 (fifteen) days in advance, to the party concerned.

6.6.5 The inquiry shall be completed as soon as possible; however, the timeframe **shall not exceed 90 (ninety) days** from the date of receipt of the complaint.

6.7 Recommendation to Management

6.7.1 The Internal Committee shall endeavor to submit its report of its findings/ recommendation **within a period of ten days** from the date of completion of the enquiry and such report shall be made available to the concerned parties.



6.7.2 Based on the findings of the investigation, if the Internal Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the management that no action is required to be taken in the matter.

6.7.3 However, if it is found that the allegations are false/frivolous and/or made with malicious intentions or the Complainant has produced any forged or misleading document, the Committee may recommend for taking appropriate action/ punishment against the Complainant, as it may deem fit, in accordance with applicable service rules and/or law as the case may be. Provided that mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.

6.7.4 Where the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Company's management for taking appropriate action against the Respondent. Recommendation for punitive action could be in the nature of an instruction for apology to the victim, and/or reprimand/written warning (with noting in personal file), and/or transfer/change of work assignment, and/or reduction in remuneration, suspension/termination from employment, and/or any other action, as the Committee may deem fit. The recommended punishment shall be based on the circumstances and gravity involved in each case.

Notwithstanding anything in the service rules applicable to the Respondent, the Act also provides for payment of appropriate compensation to the Complainant by recovery from the salary of the Respondent, in accordance with the provisions of Section 15.

6.8 Management to take decision

The findings of the investigation and the recommendations of the Committee shall be duly forwarded to the MD of the Company for taking appropriate action against the offender. The MD shall review the recommendation and a decision shall be taken in consultation with the Committee, which will be **implemented within 60 days** of receipt of the recommendations.

7. Meetings of the Committee & Reporting

7.1 Meetings shall be held as and when required, depending on case/s of sexual harassment registered or reported. While the quorum for the meeting shall be 2/3rd of the members of the Committee (not a pre-requisite for an adjourned meeting), there shall be minimum of three members present for conducting an inquiry, including the Presiding Officer. In case any member of the Committee is a Complainant/ Respondent/ Witness, he/she shall abstain from participating in the proceedings and shall not be a part of the required quorum. In such an event, the Company may nominate another suitable person in place of such member.

7.2 The Committee shall meet at least once a year for reviewing the status of complaints lodged with it and shall thereafter make an annual report to the management listing the complaints and



action recommended/ taken during the year. The Committee shall also suggest preventive measures to avoid the incidence of sexual harassment at the work place.

The venue and time for the meetings shall be decided by the Presiding Officer of the Committee.

8. Review/ Amendment of the Policy

The Company reserves the right to review and/or amend this Policy as and when necessary, with approval of its Board, in order to comply with any laws/ rules/ regulations related to sexual harassment, that may come into effect from time to time. The latest version of the Policy including the composition of the Internal Committees shall be available on the Company's website (www.crescendofinservice.in).

(Ver.1.0_June'24)

ANNEXURE

Particulars of the Internal Committee constituted by CFPL for POSH

At Navi Mumbai (for Head Office and All other Branches/Offices of Madhya Pradesh and Karnataka)

S. No.	Name		E-mail ID
1	Ms. Meenakshi Rao	Presiding Officer	meenakshi.r@nocpl.in
2	Mr. Bhaskar Priyadarshi	Member	bhaskar@crescendofinservice.in
3	Mr. Murli Manohar	Member	murli@crescendofinservice.in
4	Mrs. Pushpa Bhatt	Member	pushpa.bhatt@crescendofinservice.in
5	Ms. Sunita Sabne	External Member	sunita25sabne@gmail.com