



Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (PoSH)

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1. Introduction

The Government of India had enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as "PoSH Act"/ "the Act") to ensure women's right to Workplace equality, free from Sexual Harassment by emphasizing compliance with three vital elements of the PoSH Act i.e., prevention, prohibition & redressal and matters related to it.

This Enactment prescribes a set of principles with respect to the prevention, prohibition & redressal of Sexual Harassment of women at Workplace and matters related thereto.

This policy has been framed in accordance with the provisions of the said 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 in case of any inconsistency the provisions of the Act framed there under shall prevail.

For Administrative Convenience PoSH policy framed based on the above broad perspective is separated from ESG policy.

2. Scope and Applicability

The Prevention of Sexual Harassment (PoSH) policy aims to create a safe and respectful workplace for women. The policy applies to all employees, irrespective of their employment status (permanent, temporary, contractual, part-time, etc.). It extends to all workplace settings, including company premises, client locations, vendor sites, and remote working environments. Organizations are required to establish an Internal Complaints Committee (ICC) to handle complaints and ensure compliance. The policy also mandates awareness programs to educate employees about their rights and responsibilities. PoSH policy seeks to foster a work environment where women feel safe and respected.

3. Definition of terms

- i. **Aggrieved Woman:** In relation to a workplace, aggrieved Women refers to a woman, of any age, whether employed or not who alleges to have been subjected to any act of sexual harassment by the respondent.
- ii. **Company:** Company refers to Can Fin Homes Limited.
- iii. **Complainant:** Complainant shall mean an aggrieved woman, or a person having knowledge of the incident including either psychiatrist, guardian, authority or special educator or under whose care the aggrieved person is receiving treatment and who with the consent of the aggrieved women files a complaint, or the legal heir of a deceased aggrieved women.
- iv. **Employee:** A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage basis, 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, whether the terms of employment

are express or implied and includes a coworker, a contract worker, probationer, trainee, apprentice or by any other such name.

- v. **Employer:** means, and includes
 - a. Management: means and includes the MD & CEO, General Manager, Deputy Managing Director, Deputy General Manager, Head of Department (or employees with different titles performing similar functions)
 - b. Any person(s) or committee responsible for the formulation management, administration, supervision of policies that enables management to control of the workplace.
- vi. Explanation: Employer for the purpose of the Act refers to any person or board or committee responsible for management, supervision and control of the Workplace, including formulation and administration of policies of the Company.
- vii. **Internal Complaints Committee (ICC):** refers to the internal redressal committee established within the Company to receive and inquire complaints pertaining to sexual harassment at Workplace incidents and provide its final recommendations to the Employer, i.e. management of the Company for implementation.
- viii. **Policy:** Means Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace (PoSH) framed by the Company.
- ix. **Respondent:** Respondent means a person against whom the aggrieved person or a Complainant of the aggrieved person has made a complaint under this policy.
- x. **sexual Harassment:** Includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - Physical contact and advances; or
 - A demand or request for sexual favors; or
 - Making sexually coloured remarks; or
 - Showing pornography; or
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 - Physical contact and advances such as touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation.
 - Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work related areas.
 - Verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance and has sexual connotation/ overtone/ nature.
 - Teasing, innuendos and taunts, physical confinement and /or touching against one's will and likely to intrude upon one's privacy.
 - Online abuse, such as sending explicit messages or images, or spreading rumors about someone's sexual orientation or gender identity.
 - Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - Giving gifts or leaving objects that are sexually suggestive;

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment

- Implied or explicit promise of preferential treatment in the employment.
- Implied or explicit threat or detrimental treatment in the employment.
- Implied or explicit threat about the present or future employment status.

- Interference with the work or creating an intimidating or offensive or hostile work environment or Abuse of authority.
- Humiliating treatment likely to affect health or safety.
- An alleged act of Sexual Harassment committed during or outside of office hours also falls under the purview of this policy.

- xi. **Workplace:** Any place where working individuals interact for the purpose of work, including:
- i. All offices, branches, or units of the employer
 - ii. Any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer
 - iii. Any accommodation provided by the employer

Additionally, the policy covers any place visited by the employee in connection with work, including during digital communication and transportation provided by the employer.

Explanation: Essentially, the aim is to ensure a safe and respectful work environment, free from sexual harassment, for everyone associated with the Company, no matter where they are working or traveling for work-related purposes.

4. Duties of the Employer

- i. Provide a safe working environment at the workplace which shall include to all the persons coming into contact at the workplace.
- ii. Display at any conspicuous place in the workplace the penal consequences of sexual harassments; and the order constituting the ICC.
- iii. Declare names and contact details of all members of the ICC.
- iv. Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation/capacity building programs for the members of the ICC.
- v. Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry.
- vi. Assist in securing the attendance of respondent and witnesses before the ICC and make available such information to the ICC in context of the complaint.
- vii. Provide assistance and initiate action to the aggrieved person 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;
- viii. Treat sexual harassment as misconduct under the code of conduct and initiate action for such misconduct;
- ix. Monitor the yearly submission of the annual returns by the ICC to the Managing Director and to the District Officer with regard to the number of cases filed if any, and their disposal under the Act.
- x. Following the recommendations of the Internal Complaints Committee and/or the HR department, the Management of the Company may seek expert advice to support the aggrieved person. The assistance can include arranging for counseling

services and/or medical attention, ensuring that the aggrieved person receives the necessary help and support.

5. Duties of employees

- i. All employees of the Company have a personal responsibility to ensure that their behavior is in compliance with this policy.
- ii. All employees are encouraged to maintain a work environment free from sexual harassment i.e. if an Employee who notices any kind of sexual harassment against any co-employee or receives any information in good faith about any kind of sexual harassment at the workplace is also encouraged to report such incidents.

6. Complaint mechanism

The Company has constituted an "Internal Complaints Committee" to serve as a dedicated mechanism for addressing complaints. This committee is responsible for receiving, inquiring, and resolving grievances raised by employees in a timely manner. The goal is to ensure that any issues brought forth by the complainant are handled efficiently and fairly within a specified time frame, providing a structured and effective way for employees to seek redressal for their concerns. This process is designed to maintain a healthy and respectful workplace environment by promptly addressing and resolving complaints.

7. Internal Complaints Committee (ICC)

- I. The ICC shall comprise of the following members to be nominated by the employer:
 - At least one half of the total nominated members shall be women.
 - A senior level woman Employee not below the rank of Chief Manager shall be appointed as the Presiding Officer of the ICC
 - Minimum two members of the ICC will be appointed from amongst employees who are preferably committed to the cause of women or who have had experience in social work or have legal knowledge in this field.
 - One member shall be considered from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment.
- II. The Presiding Officer and every member of the ICC shall hold office for a period not exceeding three years, from the date of their nomination.
- III. If the Senior Level woman employee is not available, the presiding officer shall be nominated from any other workplace of the same employer or other department or organization.
- IV. If a member of the Internal Complaints Committee (ICC) has any interest or association with the aggrieved person/ Complainant/respondent in such case the members should recuse themselves from the case i.e. means the interested member should step down from their role during investigating or making decisions related to the complaint to avoid any conflict of interest. Any other unbiased member should take their place to ensure a fair and objective resolution of the matter.

- V. A member of the ICC may resign at any time by tendering his/her resignation in writing citing reason for resignation to the Company.
- VI. The member appointed from non-governmental organizations or associations shall be paid an honorarium of Rs.2500/- per sitting until the disposal of each complaint.
- VII. The Management of the Company shall be authorized to constitute/reconstitute an Internal Complaint Committee (ICC).

8. Powers and Functions of ICC

The ICC will be responsible for implementing the present policy with several key powers and functions these include:

- i. **Receiving complaints:** The ICC receives complaints of sexual harassment at the workplace.
- ii. **Conducting inquiries:** The ICC conducts inquiries and investigate into the complaints in accordance with the provisions of the established policy procedures. Including convening meetings to arrive at a final decision regarding a complaint
- iii. **Summoning and examining witnesses:** The ICC has the authority to summon and examine witnesses, require the discovery and production of documents
- iv. **Conciliation:** As per Section 10(1) of PoSH Act,2013, the Internal Committee or, as the case maybe, the local Committee, may, before initiating an inquiry (under Section 11) and at the request of aggrieved woman take steps to settle the matter between her and respondent through conciliation.
- v. **Inquiry into complaint:** ICC shall, where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provision of the service rules applicable to the respondent and where no such rules exist, in such a manner as maybe prescribed or in case of a domestic worker the ICC shall if *prima facie* case exists, forward the complaint to the police, with a period of 7 days for registering the case under Section 79 of Bharatiya Nyaya Samhita. Provided that where the aggrieved woman informs the ICC, that any term or condition of the settlement has not been complied with by the respondent, the ICC shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police.
- vi. **Order:** Passing necessary orders against the respondent if any.
- vii. **Making recommendations:** After completing the inquiry, the ICC submits a report with recommendations to the employer, which may include actions.
- viii. **Ensuring compliance:** The ICC ensures that the employer follows the necessary directions and recommendations

9. Roles & Responsibilities of ICC

- i. ICC shall ensure effective implementation of the Prevention of Sexual Harassment (PoSH) policy of the Company.
- ii. ICC may at periodic intervals organize workshops and training programs on sexual harassment in conjunction with the Human Resources department.

- iii. ICC may at periodic intervals formulate programs for creating awareness of the policy amongst the employer and employees of the Company.
- iv. ICC may from time to time bring out internal publications on Prevention of Sexual harassment and also matters concerning implementation of this policy.
- v. ICC shall conduct an inquiry into complaint according to the procedures established by law.

10. Removal or Disqualification of Members of ICC

The Management shall have power of Removal or Disqualification of Members of ICC on the following grounds:

- i. Violation of the Policy or legal provisions.
- ii. If any of the members or presiding officer has been convicted or is being tried for an offence under any law for the time being in force
- iii. On being found guilty in disciplinary proceedings or having pending disciplinary proceedings.
- iv. Has abused the position, making their continuance in office contrary to policy objectives and interest.
- v. Failure to attend three consecutive meetings/proceedings of the ICC as the case may be.

11. Timeline for filing and redressing Complaint

Timeline redressing a complaint of sexual harassment under the PoSH Act and Rules, along with relevant sections

Stage	Description	Section and timeline
Incident Occurs	The occurrence of the sexual harassment incident.	N/A
Filing Complaint	The aggrieved person must file a written complaint to the Internal Complaints Committee (ICC) within three (3) months from the date of the incident.	Section 9 Within 3 months of the incident
Extension of Filing Deadline	The ICC can extend the filing deadline by another three (3) months if the aggrieved person provides sufficient reasons for the delay.	Section 9 Additional 3 months (if justified)
Acknowledgment	Acknowledge receipt by the ICC	Section 10 Within working seven days
Completion of Inquiry	The ICC must Conduct and complete the inquiry within 90 days from the date of initiating the inquiry.	Section 11 Within 90 days of inquiry initiation
Submission of Report	The ICC must submit a report of its findings and recommendations to the employer or the	Section 13 Within 10 days of

Stage	Description	Section and timeline
	District Officer within 10 days of completing the inquiry.	completion of inquiry
Action by Employer	The employer must act upon the recommendations of the ICC within 60 days of receiving the report, including disciplinary action if necessary.	Section 13 Within 60 days of receiving report
Appeal	Either party can appeal the recommendations of the ICC to the appropriate appellate authority within 90 days from the date of the recommendations.	Section 18 Within 90 days of recommendations

12. Rules for Filing a PoSH Complaint

Rule	Details
Written Complaint	Must be in writing and signed by the complainant
Details of Incident	Include dates, timings, locations, and names of individuals involved
Support for Complaint	If unable to write, assistance from the Presiding Officer or any member of ICC can be availed
Witnesses and Evidence	Mention any witnesses or evidence supporting the complaint
Confidentiality	Maintain confidentiality of the complainant and respondent's identity during the inquiry
Anonymous Complaints	The Act does not explicitly address anonymous complaints but emphasizes maintaining party anonymity
Who Can File a Complaint	Victim, representative (with written consent if aggrieved person is physically or mentally incapacitated), or legal heir (if the Aggrieved person is deceased)

13. Conciliatory Proceedings

Based on the severity of the situation and on the request of the aggrieved person, conciliatory proceedings can be initiated and if any settlement is arrived at, then the same shall be reported to the MD & CEO and the copies of the settlement shall be provided to both the parties and no further inquiry shall be initiated.

If the respondent is not complying with terms of settlement which were arrived at, then the ICC shall proceed with inquiry or could forward the complaint to the local police.

Copy of the settlement arrived between the parties along with the findings of the ICC shall be made available to both the parties within 10 days.

14. Manner of Inquiry into Complaint

- I. Complainant should submit the complaint along with supporting documents and the names of the witnesses.
- II. Upon receipt of the complaint, the Committee should send one copy of the complaint to respondent within 7 working days.

- III. Respondent shall reply with all supporting documents within ten working days of receiving the copy of the complaint.
- IV. No legal practitioner can represent any party at any stage of the inquiry procedure.
- V. The Committee shall inquire into the complaint in accordance with the principles of natural justice.
- VI. In conducting the inquiry, a minimum of three Committee members and an external member including the Presiding Officer should be present. Such inquiry shall be conducted in person, and in order to maintain the confidentiality of the complaint in camera proceedings to be conducted by ICC.
- VII. All proceedings of the Committee will be recorded in writing. The Committee and individuals shall endorse their respective statements as token of authenticity. In case of refusal to endorse the same by either party the endorsement shall be made by the presiding officer and external member with appropriate remarks.
- VIII. The conciliation process and inquiry will be done simultaneously and will be completed within 90 days. During the inquiry the Complaints Committee may give directions relating to procedure that, in its opinion, will reduce the delay and will help to achieve a prompt hearing of the complaint.
- IX. On completion of an inquiry a report would be submitted by the ICC to the Management within 10 days. The report will contain outline of the case, investigation process, conclusion based on the balance of probabilities, findings based thereof and recommendations.
- X. The ICC shall share a copy of the findings of the inquiry with the aggrieved woman and the respondent within 10 days.
- XI. If any party is not satisfied or further aggrieved by the implementation or non-implementation of the recommendations passed by the Committee, either of the party may file an appeal before the appellate authority in accordance with Act and the rules, within 90 days of the recommendations being communicated.

If the Committee arrives at a conclusion that the allegation against the respondent has not been proved, findings to be recorded by the committee and the same shall be submitted to the Management accordingly.

15. Interim Relief to the Aggrieved Woman

During pendency of the inquiry, on a request made by the complainant, the Committee may recommend to the Management of the Company to –

- Transfer the complainant or the respondent to any other workplace.
- Grant leave to the aggrieved person of maximum 3 months, in addition to the leave would be otherwise entitled.
- Prevent the respondent from assessing complainant's work performance.
- Grant such other relief as may be appropriate.

- Once the recommendations of interim relief are implemented, the Managing Director will inform the Committee regarding the same.

16. Penalty awarded to the Respondent

If the Committee arrives at a conclusion that the allegation against the respondent has been proved and penalties/award shall be based on the severity and circumstances of the case the Committee shall recommend to the Management of the Company, which may include the following:

- Written Apology: The respondent may be required to issue a written apology to the complainant.
- Suspension: The respondent can be suspended from duty for a specified period.
- Reduction in Pay: There can be a reduction in the respondent's pay or rank.
- Termination: In severe cases, the respondent may be terminated from employment.
- Mandatory Counselling: The respondent may be required to undergo mandatory counselling.

The consequences can vary widely based on the nature of the offense and the applicable laws or regulations

17. Protection to Complainant / Victim

Protection against Reprisal and Retaliation: The Company is deeply committed to ensuring that no employee who reports a sexual harassment concern faces any form of retaliation or reprisal. This means that employees can bring forward their concerns without fear of adverse consequences, such as demotion, termination, or any other form of punishment. The Company takes any acts of retaliation seriously and will take disciplinary action against those who engage in such behavior

Support for Complainants and Witnesses: When dealing with complaints of sexual harassment, the Company ensures that complainants and witnesses are treated fairly and without any discrimination. This involves providing support and protection to individuals who come forward with their concerns, ensuring that they are not victimized or subjected to any form of discrimination as a result of their involvement in the complaint process.

Action Taken on false or malicious Complaints: In case the Committee arrives at a conclusion that the allegation against the Respondent is malicious or the Complainant has made the complaint knowing it to be false or has produced any forged or misleading document, it may be recommended to the Company to take suitable action against the Complainant who has made such a frivolous complaint, in accordance with the provisions of the applicable service rules as prescribed under applicable law or face disciplinary action. This helps to ensure that the complaint mechanism is used appropriately and that resources are focused on addressing legitimate concerns.

Mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant. Further, the malicious intent on part of the Complainant needs to be established through the inquiry process before any action against such Complainant is recommended by the ICC to the Company.

18. Access to Reports and Documents

All records of complaints, including contents of meetings, results of investigations and other relevant material shall be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

19. Training Programme

PoSH training is a proactive measure that benefits both employees and the Company by ensuring a respectful, compliant, and harmonious work environment. Training also helps employees recognize and prevent harassment, promotes a culture of respect and equality, and ensures compliance with legal requirements. Hence PoSH training will cover the following aspects:

- i. Understanding Sexual Harassment: Educating employees on what constitutes sexual harassment, including physical, verbal, and non-verbal behaviors.
- ii. Legal Framework: Providing an overview of the PoSH Act, 2013, and its implications for both employees and employers.
- iii. Roles and Responsibilities: Clarifying the roles and responsibilities of employees, managers, and the Internal Complaints Committee (ICC).
- iv. Reporting Mechanisms: Guiding employees on how to report incidents of harassment, ensuring the process is clear, confidential, and accessible.
- v. Support Mechanisms: Informing employees about the support available to them, such as the presence of a Support Person.
- vi. Consequences of Harassment: Explaining the legal and administrative consequences for those found guilty of harassment.
- vii. Interactive Sessions: Encouraging questions and discussions to address concerns and ensure understanding

20. Compliance with respect to PoSH

A Quarterly report will be placed to the Management of the Company of complaints by the ICC.

Disclosure in Annual Report: The ICC Committee should prepare and submit the following information consolidated PAN India on an Annual Basis to the HRM Department for disclosure in the Company's Annual Report

- a) Number of Complaints:
- b) The total number of complaints received during the year
- c) No of cases pending for more than 90 days

Training and Awareness Programs: Information on the training and awareness programs conducted for employees regarding sexual harassment.

21. SHe-Box portal

In the Digital age, workplace is increasingly moving online and harassment can manifest in new forms. Hence, as a significant move aimed at bolstering workplace safety for women, a centralized online platform SHe-Box (Sexual Harassment e-Box) is launched by the Ministry of Women and Child Development, Government of India.

It provides a centralized mechanism for women to register complaints of sexual harassment at their workplace. It is designed to streamline the registration and monitoring of complaints related to sexual harassment in the workplace. The SHe-Box is accessible to all women, whether they work in organized or unorganized sectors, in public or private organizations, or even as domestic workers.

- i. Registering a Complaint: Any woman facing sexual harassment at her workplace can register her complaint through the SHe-Box portal. The portal is accessible to women working in both organized and unorganized sectors, whether in the public or private sector.
- ii. Direct Submission: Once a complaint is submitted, it is directly sent to the concerned authority with jurisdiction to take action.
- iii. Tracking and Monitoring: The portal allows for real-time monitoring of complaints, ensuring timely processing and redressal.
- iv. Confidentiality: The system ensures that personal information is kept confidential and is not publicly accessible.