

**Policy on Prevention of Sexual
Harassment of Women at Workplace
(POSH)**

Keynote Financial Services Limited

(w.e.f. 26th May, 2023)

KEYNOTE FINANCIAL SERVICES LIMITED

Policy on Prevention of Sexual Harassment of Women at Workplace (POSH)

1. OBJECTIVE

Keynote Financial Services Limited (**KFSL**) is committed to maintaining an environment where all employees enjoy a safe, friendly and supportive working environment. Our Company is committed to creating and maintaining an atmosphere in which our employees can work together without fear of sexual harassment, exploitation or intimidation.

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 is approved by the Board of Directors of the Company at its meeting held on 26th May, 2023. This policy covers all the key aspects of the Act, however for any further clarification, reference shall be made to the Act and the provisions of the Act shall prevail.

2. DEFINITIONS

- **“Act”** means ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013’
- **“Aggrieved woman”** in relation to a workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **“Complainant”** means any aggrieved woman who makes a complaint alleging sexual harassment under this policy.
- **“Employee”** means a person employed at a 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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- **“Employer”** means any person responsible for the management, supervision and control of the workplace.
- **“Respondent”** means a person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy.

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- **“Sexual harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:-
 - a) Physical contact and advances; or
 - b) A demand or request for sexual favours; or
 - c) Making sexually coloured remarks; or
 - d) Showing pornography; or
 - e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- **“Workplace”** includes :-
 - a) Any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;
 - b) Any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertain mental, industrial, health services or financial activities including production, supply, sale, distribution or service;
 - c) Any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey.

3. **CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE**

- A Committee known as the “Internal Complaints Committee” (ICC) for KFSL has been re-constituted with following members:

Sr No.	Name	Designation
1.	Mrs. Radha Kirthivasan	Presiding Officer
2.	*Ms. Simran Kashela	Member
3.	Mrs. Lalana Raut	Member
4.	Mrs. Blanche Dillon	Member
5.	Mr. B. Madhuprasad	External Member

The Internal Complaints Committee was earlier constituted by the Company. However, Due to resignation of– Ms. Renita Crasto former Company Secretary and Member of the committee, on 2nd December 2022 the Internal Complaints Committee was reconstituted. The Board at its Meeting held on 26th May, 2023, has appointed Ms. Simran Kashela, company Secretary and Compliance officer as a Member of the committee.

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- The term of the members ICC will not exceed 3 years from the date of their nomination.
- All employees shall address any sexual harassment complaints only to the ICC and not talk or disclose information on the case to anybody else except to persons permitted to make a complaint on behalf of the complainant as set out in this policy.
- The Committee is responsible for:
 - a) Receiving complaints of sexual harassment at workplace;
 - b) Initiating and conducting inquiry as per the procedure;
 - c) Submitting findings and recommendations of the inquiry;
 - d) Coordinating with the employer in implementing appropriate action;
 - e) Maintaining strict confidentiality throughout the process as per guidelines;
 - f) Submitting Annual reports in prescribed formats.

4. **FILING A COMPLAINT**

- Any aggrieved woman may file a complaint in writing within *3 months* from the date of incident or from the last date of incident to the ICC. The ICC can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the woman from filing a complaint within the said period.
- Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the ICC shall render all reasonable assistance to the woman for making the complaint in writing.
- Complaints made to ICC shall be addressed to Mr. B. Madhuprasad on bmp@keynoteindia.net.
- Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity, her legal heir, co-worker and any person who has knowledge of the incident with the written consent of the aggrieved woman can file a complaint on her behalf to the ICC.
- Where the aggrieved woman is unable to make a complaint on account of her death, her legal heir, co-worker and any person who has knowledge of the incident with the written consent of the legal heir of the aggrieved woman can file a complaint on her behalf to the ICC.

5. **INVESTIGATING A COMPLAINT**

- The ICC will promptly investigate any allegation made in a fair and transparent manner.

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- The investigation may include private interviews with the complainant, the respondent and witnesses, if any. All information received via investigation is to be kept strictly confidential.
- On receipt of complaint, the ICC before initiating the inquiry may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.
- Resolution through Conciliation is to happen within 2 weeks of receipt of complaint. Provided that monetary settlement shall not be made a basis of conciliation.
- If a settlement has been arrived at, the ICC shall:
 - a) Record the settlement and forward the same to the Employer to take action as specified in the recommendation; and
 - b) Provide copies of the settlement as recorded to the Complainant and the Respondent and no further inquiry shall be conducted.
- The Committee initiates a formal inquiry in the following cases:
 - a) Conciliation not requested by the complainant;
 - b) Conciliation has not been resulted in any settlement;
 - c) Complainant informs the committee that the terms of conciliation were not complied with.

6. **MANNER OF INQUIRY**

- In case, no conciliation has been arrived at or the terms of conciliation are not complied with, then at the request of the Complainant, then ICC shall proceed to make an inquiry into the Complaint in accordance with the provisions of the service rules applicable to the Respondent or in accordance with the Rules formulated under the Act.
- During the course of inquiry:-
 - a) Both the Complainant and the Respondent being employees, will be given an opportunity of being heard;
 - b) A copy of the findings shall be made available to both the parties enabling them to make representation against the findings before ICC;
 - c) Both the Complainant and the Respondent will be interviewed, and also such individuals who may be able to provide relevant information;
 - d) ICC shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 namely; summoning and enforcing attendance of any

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person and examining him on oath and requiring the discovery and production of documents.

- The inquiry shall be completed within a period of 90 days.
- The parties shall not be permitted to bring any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.

7. TERMINATION OF INQUIRY/ EX-PARTE ORDER

The ICC shall after giving prior 15 days' notice in writing to the concerned party, have the right to terminate the inquiry proceedings or pass an ex-parte decision on the Complaint, if the Complainant or Respondent fails without sufficient cause to present herself or himself for three consecutive meetings convened by the Presiding Officer.

8. ACTION PENDING INQUIRY BY ICC

During the pendency of an inquiry, on a written request made by the Complainant, ICC may recommend to the Employer to:

- a) Transfer the Complainant or the Respondent to any other workplace; or
- b) Grant leave to the Complainant up to a period of 3 months (this leave shall be in addition to the leave she would be otherwise entitled);or
- c) Restrain the Respondent from reporting on the work performance of the Complainant or writing her confidential report and assign the same to another officer.

On the receipt of recommendation from ICC, the Employer shall promptly implement the recommendations made and send the report of such implementation to ICC.

9. ACTION TAKEN AFTER THE INQUIRY

- On Completion of Inquiry, the report will be submitted to the Employer by the ICC within 10 days.
- In case the complaint was substantiated, the Committee may recommend action for the misconduct. Such action may include counselling, censure, written warning, written apology, suspension, withholding of increments, community service, termination or any other action that the management deems fit.
- In case the complaint was unsubstantiated, the Committee may recommend to the employer that no action is required, or they may recommend to punish the complainant for malicious intent and/or false evidence. Malicious intent must be clearly established. The action for any malicious complaints could be the same as mentioned above.

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- The Employer will act upon the recommendations made by ICC within 60 days.
- An appeal against the decision is allowed within 90 days from the date of recommendation.

10. DUTIES OF EMPLOYER

The Employer shall:-

- a) provide a safe working environment at the workplace with shall include safety from the persons coming into contact at the workplace;
- b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the ICC
- c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- d) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- e) assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;
- f) make available such information to the Internal Committee or the Local Committee;
- g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- h) cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- j) monitor the timely submission of reports by the Internal Committee.

11. MODIFICATIONS

The provisions of this policy can be altered, added to, varied or substituted from time to time at the discretion of the management.