



Policy - Prevention of Sexual Harassment (POSH) at Workplace

Version	Release Date	Summary of Changes
V1.0		Policy Implemented
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Policy for Prevention of Sexual Harassment for Women at Workplace

A. Objective and Applicability

1. To ensure that India Cast Media Distribution Private Limited (hereafter referred to as “IndiaCast” or the “**Company**” and includes all the entities set out at paragraph B 2) implements the policy in letter and spirit by undertaking all necessary and reasonable steps to provide a safe environment, free of discrimination, and violence against women.
2. To fulfil with our obligation under applicable law – “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules framed thereunder.
3. To set up a mechanism for prevention of, protection from, and punishment of, sexual harassment of women at workplace.
4. To adopt a zero tolerance non-negotiable policy against any conduct that leads to sexual harassment of women at the workplace.

This policy (“**Policy**”) applies to all individuals employed or engaged by the Company, including employees, interns, apprentices, contract workers and consultants. Where Sexual Harassment occurs against any female worker employed or engaged by the Company as a result of an act by a third party or outsider while on official duty, the Company will take all necessary and reasonable steps as per the applicable rules and regulations, to initiate action at the workplace of such third party or outsider.

B. Scope

1. Definitions:

“**Aggrieved Woman**” or “**Complainant**” in relation to a workplace means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment;

“**APEX Committee**” consists of: **For Indiacast**: Chief Human Resources Officer Network 18, CEO India Cast Media Distribution Private Limited and Group General Counsel Network 18.

“**Employee**” means 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 co-worker, contract worker, probationer, trainee, intern or called by any other such name.

“**Management**” includes a person, or board of directors, or a committee, responsible for formulation and administration of policies of the Company.

“**Sexual harassment**” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- a. Physical contact and advances;
- b. A demand or request for sexual favours;
- c. Making sexually coloured remarks;
- d. Showing pornography; or
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

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Further, the following circumstances, among other circumstances, if occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- i. implied or overt promise of preferential treatment in employment; or
- ii. implied or overt threat of detrimental treatment in employment; or
- iii. implied or overt threat about the present or future employment status;
- iv. conduct which interferes with work or creates an intimidating or offensive or hostile work environment; or
- v. humiliating treatment likely to affect health or safety.

“**Workplace**” means any department, division or any other premises where work of the Company is being carried out. It also includes any place visited by employee(s) arising out of or during the course of employment, including transportation provided by the employer for undertaking such journey. It also includes any premises visited by an employee to carry out the Company’s business or attend any seminar, training, conferences, etc. or attend any event or get-together organised by the Company.

2. Coverage

This policy extends to all entities listed below:

Name of the Company

India Cast Media Distribution Private Limited

3. Version Control

The Group Chief Human Resources Officer (CHRO) of the Network18 group shall be the custodian of this policy. The policy shall be reviewed on a regular basis, as and when the need arises, by the senior management of Network18. The Company has the right to unilaterally modify this policy, subject to applicable law.

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C. Internal Committee

The Internal Committee (“IC”) has been formed across sites and locations for timely redressal of complaints dealing with sexual harassment.

Region	Name	Function
Mumbai (West Region)	Sheetal Mehra (Presiding Officer)	International Business & Syndication
	Anagha Sarpotdar	Independent Member
	Gagan Sareen	Legal
	Sanjay Jain	Corporate
	Sushmita Pradhan	International Business & Syndication
	Suman Paul	Human Resources
Noida (North Region)	Sheetal Mehra (Presiding Officer)	International Business & Syndication
	Anagha Sarpotdar	Independent Member
	Gagan Sareen	Legal
	Omesh Uppal	Affiliate Sales
	Sushmita Pradhan	International Business & Syndication
	Suman Paul	Human Resources
Kolkata (East Region)	Sheetal Mehra (Presiding Officer)	International Business & Syndication
	Anagha Sarpotdar	Independent Member
	Gagan Sareen	Legal
	Mukesh Singh	Affiliate Sales
	Sushmita Pradhan	International Business & Syndication
	Suman Paul	Human Resources
Bengaluru (South Region)	Sheetal Mehra (Presiding Officer)	International Business & Syndication
	Anagha Sarpotdar	Independent Member
	Shahnawaz Mohammad	Affiliate Sales
	Gagan Sareen	Legal
	Sushmita Pradhan	International Business & Syndication
	Suman Paul	Human Resources

The management reserves the right to add to, remove or replace the IC members from time to time, in accordance with applicable law.

D. Prohibition of Sexual Harassment at the Workplace

Sexual Harassment of women at the Workplace, whether it is during or after office hours, overt or subtle, quid pro quo or environmentally hostile, is strictly prohibited both by law as well as this policy.

E. Reporting a Complaint

- a. Any Aggrieved Woman may make a complaint of workplace Sexual Harassment to the IC at: ICC@INDIACAST.COM
- b. The Complainant is required to make the complaint in writing or via email to the IC as soon as possible, not later than three months from the date of occurrence of the incident alleged to constitute sexual harassment (in case of a series of incidents, within a period of 3 months from the date of the last incident).
- c. All complaints should be clear and should include details of the incident or incidents, supporting documents, names of individuals involved and the names and addresses of the witnesses.
- d. The Complainant should submit six copies of the complaint along with supporting documents and the names and addresses of the witnesses.
- e. The Complainant may request the IC to provide reasonable assistance for making the complaint in writing.
 - a. Where the Aggrieved Woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by (i) her relative or friend, or (ii) her co-worker, or (iii) an officer of the National or State Commission for Women, or (iv) any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.
- f. Where the Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by (i) her relative or friend, or (ii) a special educator, or (iii) a qualified psychiatrist or psychologist, (iv) guardian, or (v) any person who has knowledge of the incident jointly with any of the persons mentioned in (i) to (v) of this clause.
- g. 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 the written consent of the Aggrieved Woman.
- h. The IC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that there were unavoidable circumstances which prevented the Aggrieved Woman from filing a complaint within the said period. .
- i. If the Aggrieved Woman would like to initiate action under the Indian Penal Code, 1860 (“**IPC**”), she may request the APEX Committee of the same in writing, and the APEX Committee will provide necessary assistance to the Aggrieved Woman to file the complaint in relation to the offence under the IPC.
- j. The IC will ensure complete confidentiality of the complaint made.

F. Conciliation

- a. Before the IC initiates an inquiry, the Complainant may request the IC to settle the matter between her and the respondent through conciliation. However, no monetary settlement shall be made in connection with the conciliation.
- b. In the event a settlement has been reached, further inquiry shall not be conducted by the IC. In case any terms of the settlement have not been complied with by either party, the other party may approach the IC.
- c. If the Internal Committee decides not to conduct an enquiry into a complaint or if the complaint does not fall under purview of Sexual Harassment, then it shall record the reasons for the same in the minutes of the Internal Committee meeting. The Internal Committee shall make the same available to the APEX Committee.

G. Inquiry and Inquiry Report

- a. The IC shall enquire into the complaint of Sexual Harassment promptly and by following procedures in conformity with the principles of natural justice and gender sensitivity.
- b. The IC will have the powers to call any person and record their statements and make such investigation as may be necessary to evaluate the complaint. For the purposes of the inquiry, the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 of India when trying a suit in respect of the following matters:
 - i. Summoning and enforcing the attendance of any person and examining him/her on oath, and
 - ii. Requiring the discovery and production of documents.
- c. The IC shall provide reasonable opportunity to the complainant and the defendant for presenting and defending his/her case.
- d. The IC shall, within a period of seven days from the date of receipt of the complaint, send one copy to the respondent.
- e. The respondent shall be required to file his reply to the complaint along with his list of documents and the name and address of the witnesses, within a period not exceeding ten working days from the date of receipt of the complaint copy.
- f. The investigation process shall be completed with a period of ninety days from date of commencement of the inquiry.
- g. The complainant as well as the respondent shall not be allowed to bring in any legal practitioner or any third party to represent them in their case at any stage of the proceedings before the IC.
- h. The IC shall have the right to terminate the enquiry proceedings or to give an ex-parte decision on the complaint, should the defendant fail, without valid ground, to present himself for three

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consecutive hearings convened by the IC. The IC shall provide the party concerned a notice of at least 15 days prior to terminating the inquiry proceedings or passing an ex-parte order.

- i. The members of the IC shall maintain confidentiality about the proceedings conducted by them.
- j. On the completion of an enquiry, the IC shall provide a written report of its findings to the APEX Committee within a period of ten days from the date of completion of the enquiry and such report should also be made available to the concerned parties.
- k. In the event that the IC finds the respondent guilty of Sexual Harassment, it shall recommend:
 - i. Action for Sexual Harassment as a misconduct in accordance with provisions of applicable policies of the Company; and/or
 - ii. To deduct from the salary/ wages payable to the perpetrator, such sum as it may deem appropriate to be paid to the Aggrieved Woman or to her legal heirs.
- l. The APEX Committee shall act upon the recommendation of the IC within thirty days of its receipt and send a report of such implementation to the IC.
- m. If the Internal 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 the complainant has produced any forged or misleading document, it may recommend to the APEX Committee to take disciplinary action against the complainant in accordance with the Company's policies. It is hereby clarified that mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- n. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the APEX Committee shall take all reasonable steps to assist the affected employee/s in terms of support and preventive action.

H. Interim Reliefs

During the pendency of an inquiry, on a written request made by the Complainant, the IC may recommend to the employer to-

- i. Transfer the aggrieved woman or the defendant to any other workplace, branch or department; or
- ii. Grant leave to the Aggrieved Woman as per statutory provisions; or
- iii. Change the reporting relationship to ensure that the respondent does not review the performance or is not involved in conducting the appraisal of the complainant

I. Disciplinary Action

- a. The IC has a right to recommend any of the disciplinary actions, as it may deem appropriate, including:
 - i. Order to give written apology from the respondent to the complainant
 - ii. Issuing an oral or written warning to the respondent
 - iii. Reprimand or censure of the respondent
 - iv. Withholding respondent's promotion or demotion

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- v. Withholding respondent's pay raise or increments
 - vi. Terminating the respondent from employment with the Company
 - vii. Requiring the respondent to undergo a counselling session
 - viii. Requiring the respondent to carry out community service
 - ix. Compensation payable to the Aggrieved Woman
- b. In order to determine the amount to be paid to the victim, the IC shall take the following into consideration:
- i. the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
 - ii. the loss in the career opportunity due to the incident of sexual harassment;
 - iii. medical expenses incurred by the victim for physical or psychiatric treatment;
 - iv. the income and financial status of the respondent; or
 - v. feasibility of such payment in lump sum or in instalments.
- c. In case the Company is unable to make such deduction from the salary of the respondent due to the respondent being absent from duty or upon cessation of employment/ engagement, the IC may direct to the respondent to pay such sum directly to complainant. In the event the respondent fails to pay the sum to the complainant as per the direction of the IC, the IC is required to forward an order for recovery of the sum as an arrear of land revenue to the concerned District Officer.
- d. In addition to the above, the IC may also recommend providing gender sensitization counselling to the person found guilty.

J. Confidentiality

All information received in the course of the examination and enquiry into a complaint of Sexual Harassment shall be held in trust by the IC. Notwithstanding anything contained in the Right to Information Act, 2005, contents of the complaint, the identity and addresses of the Aggrieved Woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken by the Company shall not be published, communicated or made known to the public, press and proceedings media in any manner.

If any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or actions under law, contravenes his/her confidentiality obligation, he/she shall be liable in accordance with the provisions of the Company policies, as applicable, and may be subjected by the Company to disciplinary action, including but not limited to payment of fines.

K. Protection Against Retaliation

The Company prohibits employees from taking negative action against any individual for reporting conduct that may constitute sexual harassment. Regardless of the outcome of the complaint made in good faith, the Complainant and any person providing information or any witness, will be protected from any form of retaliation. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the Respondent or any other person against the Complainant or witnesses in connection with the complaint or the investigation should be reported by the Complainant to the IC as soon as possible. Disciplinary action will be taken by the Company in relation to any such complaints which are found genuine.