

POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE

1 Background:

1.1 Space Multimedia Private Limited believes in providing equal opportunity to all its employees, regardless of cast, creed, religion, sex, place of birth, sexual orientation, age, nationality, etc. The Indian Constitution guarantees Fundamental Rights under Part III. The Constitution of India, under article 14, 15 and 16, guarantees Right to Equality and Article 21 provides them with "Right to Life and Liberty". Further under Article 19 (1) (g) of the Indian Constitution, Right to practice any profession or to carry out any occupation, trade or business are recognised as Fundamental Rights. International Conventions and Instruments such as Convention on the Elimination of all forms of Discrimination against Women (CEDAW) also universally recognise these rights. The Government of India ratified the same on June 25, 1993. Pursuant to the constitutional and international Duties, the Indian Parliament enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and Rules, 2013 (hereinafter referred to as "**PoSH Act**").

1.2 This Prevention of Sexual Harassment at the Workplace Policy (hereinafter referred to as "**Policy**") is drafted by Space Multimedia Private Limited (hereinafter referred to as "**Company**") in accordance with Provision of the Constitution of India, International Conventions and of the PoSH Act.

1.3 This Policy will be **effective** March 1, 2024.

1.4 The said Policy adopts a **No-tolerance** and **Gender-neutral** approach towards any form of sexual harassment at the workplace.

2 Objective:

2.1 Space Multimedia Private Limited believes in providing a healthy and safe "**Workplace**" that enables its employees to work without fear of prejudice and gender bias. The company understands that Sexual Harassment at Workplace or at "**Extended Workplace**" is a grave offence and is therefore, punishable under the **Posh Act**.

2.2 The aim of this Policy is to create and maintain a safe and secure work environment, create and establish equality, to sensitise, to appraise employees of the outcome and implications and to give protection.

DocuSigned by:

vinekanand

48FB4A4E55084B4...

- 2.3 To enable an atmosphere, free of harassment, exploitation and intimidation caused by acts of sexual harassment at workplace and extended workplace.
- 2.4 To provide protection against sexual harassment of employees at workplace and for the prevention and redressal of complaints of sexual harassment and matters connected therewith.
- 2.5 To prohibit any act or behaviour that is intimidating makes the workplace hostile, etc.
- 2.6 To provide with and effective and efficient redressal procedure.
- 2.7 To protect employee's self-respect and dignity.

3 Scope:

- 3.1 The law is applicable to women employees only but as a healthy practice and as part of internal policies, Space Multimedia Private Limited has extended the benefit of the law to all the employees. Thus, this policy shall be applicable to all complaints of sexual harassment made by anyone against an employee of the Space Multimedia Private Limited in the context of work.
- 3.2 This Policy is applicable to all employees of the company working full time or part time, interns, probationers, trainees, apprentices, employees who are deployed at clients' place across locations, Consultants or retainers on contract employment and all employees working from companies' geographical offices, working from home or virtual office, travel outside their customary work location on business assignment and conferences appearing in official capacity.
- 3.3 The company has the right to take appropriate action against covered employees under this policy if a complaint in respect of sexual harassment is filed by an outsider or third party, who has visited the workplace.
- 3.4 The parties can be of any gender. The company has the right to initiate inquiry under this policy on receiving a complaint. The IC can take any precautionary action if the issue is noticed by the members, without a formal complaint.
- 3.5 All instances of Sexual Harassment that may arise out of company's offices, Branch offices, premises where the business of the company is carried on or any place visited

DocuSigned by:

vinekanand

48FB4A4E55084B4...

by the employee, arising out of or not during the employment, including company provided transportation, company sponsored travel or trainings will be considered as harassment outside the company premises.

4 Definitions :

4.1 "**Aggrieved Person**" shall mean, a person of any age, whether employed or not, working on remuneration or not, engaged directly or indirectly, term of employment maybe explicit or implied or a co-worker, who alleges to have been subjected to any act of sexual harassment at workplace.

4.2 "**Board**" shall mean the Board of Directors of the Company.

4.3 "**Complaint**": shall mean the first or initial pleading made by the aggrieved person in written form in an action for Sexual Harassment at Workplace.

4.4 "**Complainant**" shall mean the Party who initiates the complaint in an action for Sexual Harassment at workplace.

4.5 "**Employee**" shall mean:

- Any person engaged at the Workplace for any work, including all regular, permanent and temporary employees of the Company, full-time or part time employees of the Company, interns, contractors, ad hoc or honorary employees, trainees, apprentices by whatever name called, whether employed for remuneration / working on a voluntary basis, or otherwise engaged either directly or through an agent, and with or without the knowledge of the Company.

4.6 "**Employer**" shall mean

- Any person responsible for the management, supervision, and control of the Workplace.
- The relevant person discharging contractual obligations with respect to the Employees.

4.7 "**Internal Committee**" shall mean the Internal Committee (IC) set up under this Policy.

4.8 "**PoSH Act**" shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as may be amended from time to time read

DocuSigned by:

vivekanand

48FB4A4E55084B4...

together with the rules made there under.

4.9 "**Policy**" shall mean "The Anti-Sexual Harassment Policy".

4.10 "**Parties**" shall mean both the Complainant and the Respondent.

4.11 "**Respondent**" shall mean a person against whom a Complainant has made a written Complaint of Sexual Harassment as set forth herein.

4.12 "**Sexual Harassment**" shall include any one or more of the following unwelcome acts or behaviour:

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

Further, the following circumstances (among others) may amount to sexual harassment if it occurs or is present in relation to any other act of Sexual Harassment:

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

4.13 "**Workplace**" shall mean all office premises of the Company (including registered office, corporate office, branch office, hot desking or co-working space, parking space), transportation provided by the Company, any place visited by the Employee in connection with work duties, work conferences, offsites, business trips, (domestic or foreign), formal and informal team events (whether physical or virtual events), home office of the Employee (in case of a remote working arrangement includes virtual offices), Social media platforms, electronic media and communication during or outside the office.

The above instances are only illustrative and by no means constitute an exhaustive definition of Sexual Harassment.

DocuSigned by:

vivekanand

48FB4A4E55084B4...

5 Duties of the Employer :

- 5.1 The Employer shall formulate a separate Sexual Harassment Policy and circulate the same to all its employees.
- 5.2 The employers shall suitably amend their existing service rules, to include Sexual Harassment as a punishable misconduct under the service rules.
- 5.3 The Employer shall constitute an Internal Committee (IC).
- 5.4 The employer shall display the PoSH Policy at conspicuous places in the workplace along with the consequences of sexual harassment.
- 5.5 The Employer shall conspicuously display composition of the Internal Committee along with the contact details (email etc.) where the aggrieved can send their complaints.
- 5.6 The employer shall hold regular workshops and awareness programs for sensitizing all its employees about Sexual Harassment at Work and The PoSH Policy at place.
- 5.7 The employer shall ensure that the Internal Committee is also regularly trained and sensitized to appropriately handle the grievances sent to it. In this regard, the employer shall hold regular orientation, capacity-building programs to educate and upskill the IC members.
- 5.8 The employer shall provide necessary facilities to the IC for dealing with complaint and conducting inquiry. The employer shall make available all such information from its records to the IC, which may be required for conducting the inquiry.
- 5.9 The Employer shall act upon the recommendation of the Internal Committee within 60 days of receipt of the report of the Internal Committee. Further, the employer shall provide assistance to the aggrieved in case she chooses to file an FIR in relation to the offence.
- 5.10 The employer shall ensure timely submission of the annual report of the IC.

6 The Internal Committee :

Composition of the IC: The constitution of the Internal Committee shall be as following:

DocuSigned by:



vinekanand

48FB4A4E55084B4...

6.1 The IC shall consist of minimum four members, and under no circumstances, the total membership of the IC shall fall below four. At least half (50%) of the total IC members shall be women at all times.

6.2 The Presiding Officer is the Head of the Committee, who shall be a senior woman Employee of the Company ("Presiding Officer").

6.3 Not less than Two members amongst employees of the Company, who are committed to the cause of women or who have experience in social work or have legal knowledge.

6.4 One member amongst NGOs or associations committed to the cause of women or an external counsel, familiar with the issues relating to Sexual Harassment.

6.5 Jurisdiction of the Internal Committee:

6.5.0 The Internal Committee has the jurisdiction to address the issues related to Sexual Harassment at Workplace only.

6.5.1 If the Complaint is made against the employer, the Internal Committee shall refer the case to the Local Committee.

6.5.2 At any time during the pendency of the Inquiry, if found by the IC that the act of sexual harassment has elements of crime, then the IC shall assist the complainant to report the incident to the jurisdictional police station and parallelly continue to investigate the matter to assist the jurisdictional police.

6.6 Qualification and Disqualification of the IC:

The IC members shall be removed, if found to:

6.6.0 Have been guilty of sharing the confidential information related to the Sexual Harassment inquiry, conciliation, etc. to press or public.

6.6.1 Have been convicted for an offence under any law for the time being in force.

6.6.2 Have an inquiry pending under any law for the time being in force.

6.6.3 Have been found guilty in any disciplinary proceedings.

6.6.4 Have any disciplinary proceeding pending against them.

6.6.5 Have so abused the position, to render their continuance in office prejudicial to public interest.

6.6.6 Have any complaint against the presiding officer or any of the members of the

DocuSigned by:

vinekanand

48FB4A4E55084B4...

internal committee, the presiding officer or the member, as the case may be, will remove themselves from the proceedings and an alternate member shall be appointed in their position to the committee to avoid any conflict of interest.

- 6.6.7 Have a bias against the alleged or aggrieved person.

6.7 Duties of the IC: The IC is expected to provide a sound mechanism for redressal of grievances by:

- 6.7.0 Accepting and registering in due time, any complaint pertaining to Sexual Harassment at Workplace.
- 6.7.1 Conducting inquiries within the specified timelines and recommending to the Employer, any action to be taken.
- 6.7.2 Recommending to the Employer, the need for medical, psychological, and emotional assistance to the Parties, if necessary.
- 6.7.3 Seeking police or legal intervention wherever necessary; and
- 6.7.4 Keeping the entire proceedings **Confidential**.
- 6.7.5 The IC shall submit an annual report to the Employer and District Officers containing details of the complaints of Sexual Harassment received in the year.
- 6.7.6 All members of the internal committee, before proceeding with any inquiry on complaint of sexual harassment at workplace, shall ensure that they are free of any conflict of interest with the parties.
- 6.7.7 Quarterly meetings, Awareness session, Posters.

6.8 Term and Vacancy:

- 6.8.0 Each IC member shall hold office for a term of three (3) years from the date of appointment (provided, they continue to remain Employees of the Company during this period).
- 6.8.1 The Employer may temporarily extend the Term of any IC member in order to dispose of any pending complaints of Sexual Harassment.
- 6.8.2 The Employer shall be entitled to remove IC members in the manner provided for, under the Posh Act.
- 6.8.3 Once an IC member ceases to remain an Employee of the Company, for any reason whatsoever, such member shall no longer remain a part of the IC.
- 6.8.4 In case any vacancy arises in Internal Committee, the same shall be filled within a reasonable time of arising of such vacancy. The total number of IC members including Presiding Officer and External Committee Member shall not be less than four (4) at any given time.

DocuSigned by:

vivekanand

48FB4A4E55084B4...

6.9 Recusal by Member:

Any Internal Committee member, who believes that his / her objectivity may be compromised, for any reason, may apply to the Internal Committee to recuse him/herself from an investigation. The Internal Committee will consider whether to accept such requests and if accepted, shall appoint a replacement Internal Committee member for an investigation in accordance with the Law and/or this Policy and notify all concerned parties.

6.10 Powers of the IC:

6.10.0 The IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters:

- Summoning and enforcing the attendance of any person and examining them on oath, requiring the discovery and production of documents and any other matter that may be prescribed.

6.10.1 The Interim Reliefs and Recommendations by the IC shall be binding on the Employer and the Parties.

7 Redressal Process:

7.1 An Aggrieved who alleges to have been subject to any act of Sexual Harassment at the Workplace shall make a written complaint to the IC at their respective location.

7.2 Where the aggrieved person is unable to make the complaint because of physical incapacity, a complaint may be made by the following on obtaining a written consent from the aggrieved person

- Relatives
- Friends
- Co-worker
- An officer of National Commission for Woman or State Commission for Woman
- Any person who has the knowledge of the incident

7.3 Where an aggrieved person/victim is unable to make the complaint because of mental incapacity, a complaint may be made by the following

- Relative
- Friend
- A special educator
- A qualified psychiatrist or psychologist

DocuSigned by:

vivekanand

48FB4A4E55084B4...

- A Guardian

- 7.4 Authority under whose care aggrieved is taking treatment or care
- 7.5 Any person who has the knowledge of the incident jointly with the aggrieved
- 7.6 Any person who has the knowledge of the incident, with the written consent
- 7.7 Any person who has the knowledge of the incident can make a complaint to the internal committee of the company by obtaining a written consent of the legal heir of the aggrieved in case of death of the aggrieved.
- 7.8 Aggrieved person or the person who has the knowledge of the incident or act of sexual harassment can take direct legal recourse and report the incident to the jurisdictional police station after informing via application.
- 7.9 The Aggrieved can directly report to the IC by sending a mail to posh@space-multimedia.com . All e-mails send to this ID shall be received directly by the IC and the IC shall handle it.
- 7.10 The complaint shall be made within three (3) months from the date of occurrence of the incident of Sexual Harassment (**in case of a series of incidents, within a period of three (3) months from the date of the last incident**). The IC may extend this time limit by an additional period of three (3) months, if IC is satisfied that the delay in reporting the incident is reasonable.
- 7.11 All complaints should be clear and should include details of the incident(s), supporting documents, names of individuals involved and the name and contact details of the witnesses.
- 7.12 If a complaint cannot be made in writing for any reason, the Presiding Officer, or any IC member (as the case may be) shall render all reasonable assistance to the Complainant for making the complaint in writing.
- 7.13 On receipt of the written complaint, the IC shall acknowledge the receipt of Complaint and ascertain the Complaint.
- 7.14 IC shall take steps to insure confidentiality.
- 7.15 After receiving a written complaint, the IC shall within seven (7) working days, send a copy of the same to the Respondent.
- 7.16 The Respondent shall submit a written Reply within ten (10) working days from the date of receipt of the Notice.
- 7.17 During the pendency of an inquiry, on a written request being made by the Complainant, the IC may recommend that the Company:
 - Transfer the Complainant / Respondent to another office as deemed appropriate.
 - Grants leave to the Complainant for up to three (3) months, which shall be in addition to the leave that the Complainant would be entitled to otherwise.
 - Dissolve the reporting relationship between the Parties.

DocuSigned by:

vinekanand

48FB4A4E55084B4...

- 7.18 Any other measures as the IC deems fit.
- 7.19 While the Complaint is being ascertained, The IC shall inform the Complainant about "conciliation". The option of opting for conciliation is available to the complainant. Conciliation is nothing but a process of settling the issue amicably between the parties with IC as Conciliator.
- 7.20 The Respondent can either agree or reject to conciliate.
- 7.21 No monetary settlement shall be made as the basis of conciliation.
- 7.22 After arriving at the settlement, the IC shall record the terms and conditions and obtain signatures of the Parties on the settlement agreement and it shall be forwarded to the Employer.
- 7.23 The Complainant and the Respondent shall also receive copies of the settlement documentation.
- 7.24 Where a settlement has been reached, further inquiry shall not be conducted.
- 7.25 In cases where the Parties fail to comply with the terms of settlement, the IC shall proceed to make an inquiry into the complaint in accordance with the provisions of this Policy and the PoSH Act.
- 7.26 A fair, prompt and impartial Inquiry shall be conducted by The IC and exam the merit of every complaint made.
- 7.27 IC would take a decision to probe further in accordance with the procedure specified in the PoSH Act.
- 7.28 IC shall hold examination separately to record statements of Aggrieved, Complainant, Respondent and Witnesses. This will be followed by a cross-examination
- 7.29 If the Complainant or the Respondent wants to submit any evidence or require any witnesses to be called, they shall communicate the same to the IC.
- 7.30 Any evidence submitted to the IC by the Complainant, the IC should duly examine the Respondent or witness.
- 7.31 The IC shall ensure that prior notice of a hearing is given to all concerned parties.
- 7.32 If the Complainant/Respondent fails to attend three (3) consecutive hearings without sufficient cause, the IC shall terminate the inquiry or pass an ex-parte order respectively.
- 7.33 Such an ex-parte recommendation shall not be passed without giving prior written notice of Fifteen (15) days to the concerned parties.
- 7.34 The IC shall ensure that the inquiry is, at all times, and conducted in accordance with the principles of natural justice.
- 7.35 The IC shall complete the Inquiry within ninety (90) days from the date of receipt of the complaint. In case of any delay, the reasons for delay shall be duly documented.
- 7.36 After completion of the inquiry, the IC shall have additional Ten (10) days to prepare Inquiry report.
- 7.37 The Copy of the Inquiry Report shall be shared with the parties and reasonable time is given to parties to raise Objections or Concerns if any.

DocuSigned by:

vivekanand

48FB4A4E55084B4...

- 7.38 The IC shall address the Objections and Concerns raised by the parties and then make its Recommendations.
- 7.39 The Employer is bound to act on such a report within sixty (60) days of receipt.
- 7.40 During the inquiry procedure, none of the parties shall have a right to be represented by any legal practitioner.
- 7.41 If the Respondent is found to be guilty of Sexual Harassment, depending on the gravity of the offence and without prejudice to any legal right(s) that the Complainant may have, the IC may make any of the following recommendations against the Respondent:
- should undergo training or counselling to address any specific issues.
 - should provide a written apology.
 - should be transferred to another position or different place.
 - should be provided a verbal or written warning, which will also be reflected in the Respondent's personnel record.
 - Withholding of the promotion, increment or bonus (whether in full or in part).
 - The services of the Respondent should be terminated/suspended.
 - Deductions from the salary of the Respondent to be paid to the Complainant as compensation.
 - Any other recommendations as the IC may deem fit.
- 7.42 In the event the IC concludes that the Respondent is not guilty, then it shall recommend to the Employer that no further action needs to be taken.
- 7.43 If the Complainant intends to take criminal action against the Respondent, the IC and the Company shall support the same, and shall provide all reasonable assistance in this regard.
- 7.44 Where the allegation made by the complainant against the Respondent are found to be malicious or that the Complainant has produced any forged or misleading document, IC may recommend action to be taken against the Complainant as it would have taken against the Respondent genuine case of Sexual Harassment at workplace.
- 7.45 Mere inability to substantiate a complaint or provide inadequate proof will not make a complaint malicious.

8 Appeal:

The concerned party has the right to appeal against the recommendations of the IC, within a period of 90 (ninety) days in the manner provided for under the Act.

DocuSigned by:

vivekanand

48FB4A4E55084B4...

9 Annual Report:

Under the Provisions of Section 21 and 22 read with Rule 14 of the Act the annual report shall have the following details:

- Number of Complaints of Sexual Harassment received in the year.
- Number of Complaints disposed off during the year.
- Number of case pending for more than ninety days
- Number of workshops or awareness program against sexual harassment carried out.
- Nature of action taken by the employer or district officer.

- 9.1 The said annual report shall be submitted to the Employer and The District Officer as well.
- 9.2 The report shall be submitted on yearly basis.

10 Confidentiality:

- 10.1 It shall be the duty of the internal committee or any person entrusted with the duty to handle or deal with the complaint of sexual harassment as well as every person having knowledge of the complaint of sexual harassment to ensure strict confidentiality with respect to the contents of the complaint of sexual harassment and inquiry proceedings.
- 10.2 The contents of the complaint made the identity and address of the aggrieved employee, respondent and witness, any information relating to conciliation and inquiry proceedings, recommendation of the internal committee and the action taken by the employer shall not be published, communicated or made known to the public, press and media in any manner.
- 10.3 Only the justice secured to the complainant may be made known under the reports required to be furnished under the law, subject to written approval by the company.
- 10.4 Failure in maintaining confidentiality shall attract a minimum penalty of INR 5,000/- (Rupees five thousand only) or any higher penalty as may be prescribed by the service rules of the company, which will be imposed by the company on the defaulting person.

11 Protection Against Retaliation:

- 11.1 The Company prohibits any form of retaliation against an individual who has raised a

DocuSigned by:



48FB4A4E55084B4...

complaint of Sexual Harassment or has cooperated in any inquiry involving a complaint of Sexual Harassment.

11.2 Any individual who believes to be experiencing retaliation should report this to the IC.

11.3 Any person, who is found to be guilty of retaliation, would be subject to appropriate disciplinary action.

12 Amendments:

Company reserves the right to amend this Policy as and when required to ensure compliance with PoSH Act, rules and other governing laws.

13 Dissemination:

13.1 The Policy shall be mandatorily provided to every Employee at the time of joining and the Employee shall acknowledge the same in writing.

13.2 The details of the IC shall be displayed prominently in the Company's office premises.

DocuSigned by:

vivekanand

48FB4A4E55084B4...