



PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

1. Scope and objective

TLC Digitech Private Ltd. (the “Company”) is committed to creating a safe and secure ambience in which all employees can work together free from sexual harassment. The policy mandates that, no women shall be subjected to sexual harassment at the workplace. Sexual Harassment is a grave offence and is therefore, punishable. In pursuance of such objective, the company has adopted this policy on Prevention of Sexual Harassment at Workplace (“Policy”). This Policy has been prepared in line with the requirements of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and rules framed thereunder (“Act”).

This Policy seeks to educate all persons employed or engaged by the Company, on what conduct constitutes Sexual Harassment, the ways and means to prevent occurrence of such conduct, redressal mechanism in the event of occurrence of Sexual Harassment and the consequences of the same.

2. APPLICABILITY

This Policy is applicable to all employees who are employed in the Company’s workplace situated in India. Company would mean TLC Digitech Private Ltd. and will include any/all of its affiliates and/or group company/ies registered in India. Affiliates /or group company/ies would mean and include companies having common ultimate Parent holding Company.

3. DEFINITIONS

- 3.1 The following words used herein shall have the same meaning as outlined in the Act. “Aggrieved Woman”, “Complainant”, “Employee”, “Workplace”, “Employer”.
- 3.2 “Internal Committee” or IC means internal committee constituted by the Company for the purposes of the Act.
- 3.3 “Presiding Officer” means the Presiding Officer of the IC nominated under Section 4(2) of the Act.
- 3.4 “Respondent” means a person against whom the Complainant has made a complaint of Sexual Harassment.
- 3.5 “Sexual Harassment” includes any or more of the following unwelcome act or behaviour (whether directly or by implication);
 - a) physical contact and advances;
 - b) a demand or request for sexual favors.
 - c) making sexually colored remarks;
 - d) showing pornography; or

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e) any other unwelcome physical, verbal or non- verbal conduct of sexual nature.

Further, the following circumstances among others, if they occur or are in relation to or connected with any act or behaviour of Sexual Harassment, may also amount to Sexual Harassment:

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

4. INTERNAL COMMITTEE

4.1 The company has constituted an Internal Committee ("IC) to investigate complaints relating to violation of this policy and the Act.

4.2 IC will have a minimum of 4 (four) members (including the Presiding Officer) and will have at least 50 % female representatives. The identity and contact details of members of the IC are mentioned below:

- | | |
|---------------------|------------|
| a) Geetika Sethi | 9810222118 |
| B) Tooba Hassan | 8130248220 |
| C) Shailendra Dixit | 9990203110 |
| D) Raj Charles | 9930797962 |
| E) Chetna Chhikara | 9990902309 |

4.3 Composition of the Internal Committee: The Presiding officer of IC, who shall be a woman employed at a senior level ; Not less than 2 (two) members of the IC shall be employees preferably committed to the cause of the woman or woman who have had experience in social work or have legal knowledge and one external member from a non-governmental organization or person committed to the cause of a woman or a person familiar with the issues relating to sexual harassment.

4.4 In case a member of the IC ceases to be engaged with the company during the period of nomination then the company will appoint an alternate member to the IC.

4.5 The Presiding Officer and every member of the IC shall hold office for a period not exceeding 3 years from the date of their nomination and can be further extended for a further period of 3 (three) years.

4.6 The employers shall from time to time, review the membership of the IC and make appropriate changes.

4.7 Changes in the constitution of the IC whenever necessary shall be made as expeditiously as possible and in any case 15 (fifteen) days of the date of vacancy of office of the presiding officer or member.

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4.8 A member of the IC can be removed from in accordance with the provisions of the Act.

5. GRIEVANCE PROCEDURE

- 5.1 Any Employee (“Complainant”) may lodge a complaint of Sexual Harassment against an Employee, with the any of the members of the Internal Committee at the earliest point of time and in any case preferably within 30 days from the date of occurrence of the alleged incident. However, the Internal Committee for the reason to be recorded in writing extend the time limit not exceeding three months from the date of incident. If the Complainant feels that she / he cannot disclose her/his identity for any particular reason with the Panel members, she/he can address the complaint to the Chairman & Managing Director.
- 5.2 Such a Complaint may be oral or in writing.
- 5.3 If the Complaint is oral, the same shall be put in writing by the Complainant and shall be signed on every page, at the foot of the page, by the Complainant.
- 5.4 The Internal Committee will hold a meeting with the Complainant latest within a period of 30 (thirty) days within the receipt of the complaint and advance intimation will be given to the Complainant of the same.
- 5.5 At the first meeting of the Internal Committee, the Complainant shall be heard, and her statement recorded (Statement of Allegation). The Complainant can produce corroborative material with a documentary oral material, etc., to substantiate her complaint.
- 5.6 Thereafter, the Accused will be called to a meeting by the Internal Committee and will be informed of the Complaint and an opportunity will be given to the Accused to give an explanation, where after, an “Inquiry” shall be conducted.
- 5.7 In the event the complaint does not fall under the purview of Sexual Harassment / the Complaint on the face of it does not disclose an offence of Sexual Harassment, the Internal Committee may drop the complaint after recording the reason/s thereof.

6. CONCILIATION

- 6.1 Before initiating an inquiry and if requested by the “*Aggrieved Woman*”, the IC shall take steps to settle the matter between the “*Aggrieved Woman*” and the Respondent through conciliation. However, no monetary settlement shall be made on the basis of conciliation.
- 6.2 The IC shall record the settlement arrived at and shall share a copy of the same with the “*Aggrieved Woman*” and the “*Respondent*”. The IC shall also inform the Company about the settlement of implementation thereof. No further enquiry shall be conducted once a settlement has been reached in accordance with above.
- 6.3 The committee shall proceed to make an inquiry into the complaint when it is informed by the complainant that the Respondent has not complied with any terms and conditions of

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the settlement arrived at under conciliation.

7. PROCEDURE FOR INQUIRY

If the “*Aggrieved Woman*” does not opt for conciliation or the settlement is not implemented by the Respondent. The IC shall proceed with the Inquiry and communicate the same to the Complainant and the Accused. The IC shall follow following procedure:

- 7.1 The IC shall record all the proceedings of the Inquiry and all parties present at any of the communication meetings, shall endorse the same in token of authenticity thereof.
- 7.2 The IC shall hand over the Statement of Allegation to the Accused and give an opportunity to the Accused to submit a written explanation if she / he so desires within 7 days of receipt of the same.
- 7.3 The Complainant will be provided with a copy of the written explanation submitted by the Accused. If the Complainant or the Accused desire any witness/es to be called, they shall communicate in writing to the IC the names of witness/es that they propose to be called.
- 7.4 If the Complainant desires to tender any documents by way of evidence before the IC, she shall supply true copies of such documents to the IC Similarly, if the Accused desires to tender any documents in evidence before the IC she shall supply true copies of such documents to the IC and affix his / her signature on the same to certify it to be a true copy.
- 7.5 The IC will call upon all witnesses mentioned by both the parties.
- 7.6 The IC will provide every reasonable opportunity to the Complainant and to the Accused, for putting forward and defending their respective case.
- 7.7 The IC shall complete the “Inquiry” as soon as is reasonably possible and communicate its findings and its recommendations for disciplinary action to the Appointing Authority. The Chairman & Managing Director will direct the Organization to take action in accordance with the recommendations proposed by the Internal Committee.

8. PROTECTION AGAINST VICTIMIZATION

The victim of Sexual Harassment has the option to seek transfer of the perpetrator of his / her own transfer.

9. OBLIGATION OF THE MANAGEMENT

The Management of the Company shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy.

10. Conclusion of investigation

- 10.1 The inquiry by the IC is required to be completed within 90 days of the receipt of the complaint from the complainant.
- 10.2 On conclusion of the investigation if the investigation does not establish occurrence of sexual harassment the IC shall communicate the same in writing to the Company. The Company shall then inform the Complainant and the Respondent of the outcome of the investigation and

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formally close the file.

10.3 Where the allegations of Sexual Harassment are established, the IC shall submit written report to the Company along with its recommendations.

- a. The IC shall submit recommendation and its report to the employer for further action if any within 10 days of the conclusion of the inquiry.
- b. The IC reports shall also contain recommendation on action, if any, required to be taken on the complaint and also corrective preventive and other action if any required from the Company.
- c. The report shall be issued within 10 days from the date of completion of the inquiry to the company a copy of such report will also be served with the Respondent and the Complainant.
- d. On receipt of the recommendation of the IC, the employer shall promptly implement the same and send a report evidencing implementation of such recommendation to the IC. The company shall act upon the recommendation of the IC within maximum period of 60 days of receipt of the report.

11. Disciplinary action

Where allegations of sexual harassment are established, the IC shall decide upon the disciplinary action/punishment to be given to the respondent. The IC shall record its reason in writing. The IC may impose following appropriate disciplinary action in accordance with the service rules of the Company.

1. written apology.
2. Written or oral warning reprimand or censure,
3. withholding of promotion /pay rise / increments or
4. termination of services or
5. counselling
6. as maybe deem fit by the IC

The IC may also recommend the employer to deduct from the wages of the Respondent such as it may consider appropriate to be paid to the aggrieved woman or to her legal heir as it may determine for determination of compensation if any, the IC shall take into account the mental trauma, pain, suffering and emotional distressed cost to the complainant and the career opportunity due to the incident of sexual harassment, medical expense incurred by the complainant for physical or psychiatric treatment the income and financial status of the respondent and feasibility of such payment in lump sum or in instalment.

12. Action for false or malicious complaint or false evidence

Where the IC arrives at a conclusion that the allegation against the respondent is malicious or the complainant has made by the complaint knowing it to be false or the aggrieved women has produced any false or misleading document, it may recommend to the Company a strict disciplinary action against such person including dismissal from service. However mere inability to substantiate a complaint or provide adequate proof need not attract action against the aggrieved women.

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13. Appeal

Any person who is aggrieved by the recommendation of the IC or in case of non-implementation of the recommendation may prefer an appeal to the Appellate Authority notified under section 2A of Industrial Employment Standing Order Act 1946 within 90 days from the date of receipt recommendations of the IC.

14. Confidentiality

Special privacy safeguards will be applied to the investigation and complaints will be handled on a confidential “*need to know*” basis. Publishing, communicating or any other manner making known to other public in the Company, press or media. Any information in relation to the contents of the complaint, the identity and address of the “*Aggrieved Woman*”, the respondent and the witness, inquiry proceedings recommendations of IC or the action taken by the company is prohibited. Such prohibition however does not apply to information regarding the justice secured to the “*Aggrieved Woman*” however care should be taken that the name, address, identity or any other particulars that could lead to the identification of the “*Aggrieved Woman*”, the respondent or the witness should not be disclosed.

If any person entrusted with the duty to handle or deal with the complaint inquiry or any recommendation or action to be taken breaches this policy, such person shall be liable for action as per the policy of the company in this record.

15. Awareness

The Company shall conduct periodic orientations for the IC and awareness session for employees

16. General

Any exceptions /deviations to this policy shall be subject to applicable law.

The company reserves the right to modify or terminate this policy without prior notice subject to applicable law.

This policy supersedes all previous policy guidelines on this subject and will remain applicable till any further changes are notified.