

Policy on Prevention and Redressal of Sexual Harassment at the Workplace

1. Policy

1.1 THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

1.2 This policy takes complete cognizance of the legislation by the Government of India “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013 (“the Act”) and shall be revised to adhere with any modifications to the Act, that may be introduced from time to time. This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto.

2. Scope

2.1 This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

3. Definitions

a. Sexual Harassment

Sexual harassment may include any of the following but not limited to:

- i. unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return for preferential/ detrimental treatment in employment, effecting promotion, examination or evaluation of a person towards any company activity;
- ii. unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mail, gestures, lurid stares, physical contact and advances or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- iii. eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;

- iv. act or conduct by a person with interference in work or creating the environment at workplace hostile or intimidating* to a person belonging to the other sex;
- v. conduct of such an act at work place or outside in relation to an Employee of THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED or vice versa during the course of employment;
- vi. any unwelcome gesture by an employee having sexual overtones;
- vii. a demand or request for sexual favors;
- viii. showing pornography or opening any pornography in the presence of another employee of the opposite sex; and
- ix. any abatement or instigation to another person to commit any of the above acts.
- x. Humiliating treatment likely to affect employee's health or safety.

***Explanation:** Creates the environment at workplace "hostile or intimidating" means:

- (a) Creating a workplace where Sexual Harassment may go unheeded, where despite complaints no action is taken, where there is nexus between accused/aggressor & higher management, and where complainant is placed under fear, disadvantage or threat of victimization.
- (b) It will also mean Retaliation which includes:
 - marginalizing someone in the workplace with regard to his / her roles and responsibilities
 - socially ostracizing
 - intimidating someone physically, psychologically, emotionally or someone close to or related to the victim
 - spreading canard
- (c) And any other behavior that may commonly be construed as retaliatory.

a. Employee:

"Employee" means any person on the rolls of the Company including those on deputation, contract, temporary, part time, training or working as consultants or free-lancer, whether for remuneration or not, and includes anyone involved within the business premises of THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED.

b. Aggrieved Individual

An Aggrieved Individual, in relation to a workplace, is a person, of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment.

c. Complainant

A Complainant is any Aggrieved Individual who makes a complaint alleging Sexual Harassment under this Policy and includes persons specified under clause 5.a. of this policy, if the Aggrieved Individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise.

d. Respondent

A Respondent means the person against whom the Complainant has made a complaint.

f. Workplace

- Premises, locations, establishments, offices, branches or units established, owned, controlled by the Company.
- Places visited by the Employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

4. INTERNAL COMPLAINTS COMMITTEE:

i. The Company has an Internal Complaints Committee also known as the Anti Sexual Harassment Committee (ASHC). If the administrative units of a company are located at different places, the ASHC shall be so constituted so as to cover all administrative units or offices falling under one jurisdiction.

The ASHC shall comprise the following:

- A senior level woman Employee shall be appointed as the presiding officer of the ASHC ("**Presiding Officer or Chairperson**"). The Chairperson shall automatically vacate her office upon ceasing to be Employee of the Company.
 - At Least 50% of the ASHC representatives shall be women.
 - One member 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 Chairperson and every member of the ASHC shall hold office for a period not exceeding three years, from the date of their nomination.
- iii. A member of the ASHC may resign at any time by tendering his resignation in writing to the Head – Human Resources of the Company.

A minimum quorum of 3 members is required to be present for the proceedings to take place and a majority of them shall be ladies. The Committee shall have a r Chairperson for the proceedings.

5. Inquiry and Redressal Process

e. Complaint of Sexual Harassment

ii. Any Complainant can make a complaint in writing by sending an email to the ASHC at THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED (Display Name "Anti Sexual Harassment Committee") within three months from the date of last occurrence of incident. The ASHC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period.

If the Aggrieved Individual is unable to make a complaint on account of his/her physical incapacity, a complaint may be filed by:

- his/her relative or friend; or
- his/her co-worker; or
- an officer of the National Commission for Women or State Women's Commission; or

- any person who has knowledge of the incident, with the written consent of the Aggrieved Individual
- ii) If the Aggrieved Individual is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by:
- his/her relative or friend; or
 - a qualified psychiatrist or psychologist; or
 - the guardian or authority under whose care he/she is receiving treatment or care; or
 - any person who has knowledge of the incident jointly with the Aggrieved Individual's relative or friend or qualified psychiatrist or psychologist, or guardian or authority under whose care he/she is receiving treatment or care
- iii) If the Aggrieved Individual 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 his/her written consent.
- iv) If the Aggrieved Individual is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his/her legal heir.
- v) The Complainant shall submit six copies of the complaint along with supporting documents and relevant details concerning the alleged incident(s), the name and details of the Respondent and names and addresses of the witnesses to any ASHC member.
- vi) The ASHC may, depending on the facts of the case, also accept oral complaints under this Policy which may be reduced in writing by a member of the ASHC and signature of the Complainant shall be obtained thereon.
- vii) The complaint can also be submitted to the ASHC electronically at THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED (Display Name "Anti Sexual Harassment Committee").

b. Conciliation

Prior to initiating an inquiry, the ASHC may, at the request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation, provided that no monetary settlement is made basis of such conciliation. In case a settlement as stated aforesaid has been arrived at, the ASHC shall record the settlement so arrived and forward the same to the Head HR to take action as specified in the recommendation of the ASHC

The ASHC will provide copies of the settlement as recorded to the Complainant and the Respondent. Upon conciliation being reached, the ASHC would not be required to conduct any further inquiry.

c. Inquiry

i) Subject to the provisions of Clause 5.b. of this Policy and in the event of any term or condition of the settlement not been complied with by the Respondent, the ASHC shall conduct an inquiry regarding the complaint.

ii) On receipt of the complaint, the ASHC shall send one of the copies received from the Complainant to the Respondent within a period of seven working days.

iii) The Respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents.

iv) The ASHC shall make an inquiry into the complaint in accordance with the principles of natural justice. The ASHC must notify in writing, the time and dates of its meetings to the Head – Human Resources of the Company, the Complainant and the Respondent, not less than 3 days in advance of any such meeting.

v) While conducting the inquiry, a minimum of three members of the ASHC including the Presiding Officer or Chairperson, as the case may be, shall be present.

vi) The ASHC shall have the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and / or any other matter which may be prescribed and deemed necessary for the inquiry process.

vii) The ASHC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails, without sufficient cause, to present themselves, for three consecutive hearings convened by the Chairperson or Presiding Officer. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

viii) The Complainant and the Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ASHC. However, they may be accompanied by a colleague for psychological or emotional support. Such colleague will not speak at or otherwise interfere with the proceedings of the ASHC unless permitted so to do by the ASHC.

ix) All colleagues and witnesses including the Complainant and the Respondent who are part of the ASHC proceedings shall keep all details thereof strictly confidential.

x) During the course of inquiry, the Complainant and the Respondent shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the ASHC.

xi) The inquiry shall be completed within a period of ninety days from the date of receipt of the complaint, unless the time is extended by the ASHC depending upon the facts of the case.

d. Action during Pendency of Inquiry

ii) During the pendency of an inquiry, on a written request made by the Complainant, the ASHC may recommend the following to the Company:

- transfer the Aggrieved Individual or the Respondent to any other workplace; or
- grant leave to the Aggrieved Individual upto a period of three months; or
- grant such other relief to the Aggrieved Individual as may be prescribed under applicable law; or
- restrain the Respondent from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer

iii) The leave granted to the Aggrieved Individual shall be in addition to the leave he/she is otherwise entitled to.

iii) On receiving a recommendation from the ASHC, the Company shall implement the recommendations and send a report of such implementation to the ASHC.

e. Inquiry Report and Actions

i) On the completion of an inquiry, the ASHC shall provide a written report of its findings to the Head – HR, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

ii) In the event that the ASHC arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Head – HR, that no action is required to be taken in the matter.

iii) Where the ASHC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend in writing to the Head – HR, to take action against the Respondent, which may include:

- a written apology from the Respondent
- a letter of warning may be placed in the personal file of the Respondent
- reprimand or censure

- immediate transfer or suspension without pay
 - termination from service
 - withholding of promotion and/or pay rise or increments
 - register an FIR against the Respondent in case the act alleged, prima facie constitutes an offense under the Indian Penal Code
 - deduction from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Individual or to his/ her legal heirs
 - such other action as the ASHC may deem appropriate in the circumstances of the case.
- iv) In case the Company is unable to make deductions from the salary/termination benefits of the Respondent/other amounts payable by the Company to the Respondent due to his being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant. In case the Respondent fails to pay the sum referred above, the ASHC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.
- v) The Company shall act upon the recommendation given by ASHC within sixty days of receipt of the recommendation.

f. Malicious Complaint

In case the ASHC 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, fabricated or misleading document, it may recommend to the Company to take suitable action against the Complainant who has made the complaint, in accordance with the provisions of the applicable service rules or as prescribed under applicable law. 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 after the inquiry process as stated herein under clause 5 of this policy, before any action against such Complainant is recommended by the ASHC to the Company.

g. Appeal

In the event that any person is aggrieved from the recommendations made by the ASHC or non-implementation of such recommendations, he/she may appeal to the Head HR as set out hereinabove. This shall be without prejudice to the right of any person aggrieved by the recommendations made by the ASHC or non-implementation of such recommendations to appeal to the appropriate authority, as specified by the law, within a period of ninety days of the recommendations.

6. ROLES & RESPONSIBILITIES

a. Employees

As a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct, Employees have following responsibilities.

- To read, understand, appreciate and adhere to the terms of this policy.
- To avail of the mechanism provided by this policy for any complaints or matters of or pertaining to sexual harassment or similar issues.
- To forward or submit to the ASHC, any written complaint from any aggrieved individual and to support/ co-operate during any investigation as part of the inquiry process.
- Be aware of and abide by laws applicable to them, their job and the company policies and procedures.
- Be aware of, and do not participate in any prohibited or inappropriate behaviors

or activities while representing THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED

- Be aware that the Company will take allegations seriously and will ask their cooperation in an investigation if they bring a complaint forward
- Participate in the procedure of investigation if a complaint is brought forward, it will be reviewed. If an employee elects not to participate in the procedure constituted by Company, and does not wish to proceed with the complaint, it will need to be formally withdrawn.
- Provide a full and truthful disclosure of relevant information and assist with investigations of alleged policy violations.
- Handle information related to known or suspected violations of this policy in a discreet and confidential manner.
- Not attempt to investigate the information or suspected violations of this policy on their own i.e. without involving the ASHC.
- Set an example of proper workplace behaviour and ethical standards in linewith THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct.

b. Manager

Manager is a reporting authority or anyone who is responsible for the outcome of work and has a reporting relationship with the Complainant in the Company. Manager has the same responsibilities as the Employee, as well as these additional responsibilities as a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct. If an Employee and/or

stakeholder has conveyed about sexual harassment to the manager, it is the responsibility of the manager:

- To encourage the Complainant to give it in writing to the ASHC.
- Should he/she receive any written complaint from the Complainant, guide the Complainant to submit the written complaint immediately to the ASHC. Provide all kinds of support for the further investigations as a part of inquiry process.
- Have adequate knowledge about applicable laws, and answer questions regarding relevant policies and procedures.
- Immediately forward any report or complaint of an alleged violation of this policy and all relevant or requested information to the Vertical Human Resources Leader.
- Keep disclosed information as confidential. Handle information in a discreet manner, and disclose confidential information strictly on a “need-to-know” basis only.
- Not attempt to investigate or verify the information unless instructed by the Human Resources or Legal Department personnel in charge of the investigation and the ASHC.
- Fully cooperate, facilitate and aid the prompt handling of an investigation by ASHC, Human Resources, the Legal Department or the management.
- Allow the Complainant, respondent, witnesses and allied parties to attend the inquiry proceedings at the stipulated time and place.
- Carry out all corrective measures and remediation established in the final decision.
- Ensure that Employees are adequately communicated on the Company’s Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace.
- Ensure no retaliation and zero tolerance to sexual harassment or inappropriate conduct.
- Set an example of proper workplace behaviour and ethical standards in linewith

THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct.

c. Human Resources

Human Resource team members have the same responsibilities as the Employee and additional responsibilities as a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct and statutory guidelines.

- Make information, policies and procedures available to Employees via the Intranet and periodical mailers.
- Take cognizance of the written complaint and bring the complaint immediately to the ASHC and provide all kinds of support for the further investigations as a part of inquiry process.
- Ensure that Employees and stakeholders are communicated properly about Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace.
- Not attempt to investigate or verify the information unless instructed by the legal Department personnel in charge of the investigation and the ASHC.
- Carry out all corrective measures and remediation established in the final decision.
- Set an example of proper and appropriate workplace behaviour and ethical standards in line with THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED code of conduct.

d. ASHC

ASHC members have the same responsibilities as the Employees and additional responsibilities as a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct.

- To be fair while making the assessment of the situation, investigation and giving the verdict.
- Conduct the inquiry process and recommend appropriate actions as per the process outlined in this document in line with the statutory requirements applicable.
- Inform the parties involved in the inquiry proceedings well in time and in writing.
- Follow the principles of natural justice and treat the Complainant, Respondent, witnesses and related persons to the inquiry with dignity and respect.
- Submit to the Board an annual report comprising details of all cases and actions taken.
- Keep disclosed information as confidential. Handle information in a discreet manner, and disclose confidential information strictly on a “need-to-know” basis only.
- If an Employee faces sexual harassment outside of the company work and work premises, assist them in filing a complaint in the police station as appropriate.
- Set an example of proper and appropriate workplace behaviour and ethical standards in line with THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct.

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint as may be appropriate

e. The Company

The Company is responsible for providing a safe working environment for its Employees, free from harassment, bias and prejudice of any kind. Towards this end, it will:

- Treat Sexual Harassment as misconduct under the service rules and take appropriate action for the same.
- Encourage respectful and dignified behaviour at workplace at all times by all.
- Have zero tolerance towards acts of sexual harassment.
- Declare the names and contact details of all Members of the ASHC.
- Ensure that necessary facilities and information are provided to the ASHC for dealing with the complaint and conducting an inquiry.
- Assist in securing the attendance of Respondent and witnesses before the ASHC and make available such information to the ASHC as it may require with regards to the complaint.
- Provide assistance to the Complainant if the Complainant chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
- Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the Respondent, or if the Complainant so desires, where

the Respondent is not an Employee, in the workplace at which the incident of Sexual Harassment took place.

- Monitor the timely submission of reports by the ASHC.
- At its sole discretion, may provide additional facilities to the Aggrieved Individual including:
 - an option for a transfer of the Aggrieved Individual or the Respondent who is proved to be guilty, to any other workplace.
 - an option for a change of role / department (if feasible).

d. Human Resources

Human Resource team members have the same responsibilities as the Employee and additional responsibilities as a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct and statutory guidelines.

- Make information, policies and procedures available to Employees via the Intranet and periodical mailers.
- Take cognizance of the written complaint and bring the complaint immediately to the ASHC and provide all kinds of support for the further investigations as a part of inquiry process.
- Ensure that Employees and stakeholders are communicated properly about Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace.
- Not attempt to investigate or verify the information unless instructed by the legal Department personnel in charge of the investigation and the ASHC.
- Carry out all corrective measures and remediation established in the final decision.

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ASHC members have the same responsibilities as the Employees and additional responsibilities as a custodian of the THINKING HATS ENTERTAINMENT SOLUTIONS LIMITED Code of Conduct.

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witnesses and related persons to the inquiry with dignity and respect.

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- Have zero tolerance towards acts of sexual harassment.
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- Ensure that necessary facilities and information are provided to the ASHC for dealing with the complaint and conducting an inquiry.
- Assist in securing the attendance of Respondent and witnesses before the ASHC and make available such information to the ASHC as it may require with regards to the complaint.
- Provide assistance to the Complainant if the Complainant chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
- Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the Respondent, or if the Complainant so desires, where the Respondent is not an Employee, in the workplace at which the incident of Sexual Harassment took place.
- Monitor the timely submission of reports by the ASHC.
- At its sole discretion, may provide additional facilities to the Aggrieved Individual including:
 - an option for a transfer of the Aggrieved Individual or the Respondent who is proved to be guilty, to any other workplace.
 - an option for a change of role / department (if feasible).