



# **PREVENTION OF SEXUAL HARASSMENT POLICY**

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

## 1. Background

1.01 Amagi Media Labs Limited (“Company”) believes in providing equal opportunity and respect to all Employees regardless of caste, creed, religion, sex, place of birth, sexual orientation, age, nationality, etc.

1.02 This Prevention of Sexual Harassment at the Workplace Policy (hereinafter referred to as “Policy”) draws from the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013, India – however we have gone further for Amagi to make it gender inclusive i.e. include women, transgender people and men – the same is applicable globally for Amagi. The said Policy adopts a no-tolerance and gender-neutral approach towards any form of sexual harassment at the workplace.

1.03 This Policy will be effective from May, 2025.

## 2. Objective

2.01 The Company is committed towards providing a healthy and safe workplace that enables Employees to work without fear of prejudice and gender bias. The Company understands that Sexual Harassment at the Workplace, which includes the ‘extended workplace.’ is a grave offence and is, therefore, punishable under the POSH Act.

2.02 The aim of this Policy is to create and maintain a safe and secure work environment, create, and establish equality, sensitivity, and appraise employees of the outcome and implications of their actions.

2.03 To enable an atmosphere free of harassment, exploitation, and intimidation caused by acts of sexual harassment at the Workplace.

2.04 To prevent and provide protection against Sexual Harassment of Employees at the Workplace, and to provide a redressal mechanism for Complaints.

2.05 To prohibit any act or behavior that is intimidating and makes the Workplace hostile, etc.

2.06 To provide an effective and efficient redressal procedure.

2.07 To protect the self-respect and dignity of Employees.

### 3. Scope

3.01 The POSH Act is applicable to women only, but as a healthy practice, the Company has extended the benefit of this Policy to all in the Workplace, irrespective of gender. Thus, this Policy shall be applicable to all Complaints made by anyone against an Employee of the Company in the context of the Workplace.

3.02 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 client places across locations, consultants or retainers on contract employment, and all Employees working from companies' different geographical offices, working from home or virtual office, travel outside their customary work location on business assignment, or conferences appearing in official capacity.

3.03 The Company has the right to take appropriate action against Employees under this Policy if a Complaint is filed by an outsider or 3rd party who has visited the Workplace.

3.04 The Company has the right to initiate an inquiry under this Policy on receiving the Complaint, IC can take any precautionary action if the issue is noticed by the members without a Complaint. 3.05 All instances of Sexual Harassment that may arise outside of the Company's offices, branch offices, premises where the business of the Company is carried on, or any place visited by the Employee, arising out of or not during the employment, including Company-provided transportation, Company-sponsored travel or training will be considered as harassment outside the Workplace.

### 4. Definitions

4.01 "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 may be explicit or implied, or a co-worker, who alleges to have been subjected to any act of Sexual Harassment at Workplace.

4.02 "Board" shall mean the board of directors of the Company.

4.03 "Complaint": shall mean the first or initial pleading made by the Aggrieved Person, or a person authorized on their behalf, in written form in an action for Sexual Harassment at the Workplace.

4.04 "Complainant" shall mean the Party who initiates the Complaint in an action for Sexual Harassment at the Workplace.

4.05 "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 voluntarily, or otherwise engaged either directly or through an agent, and with or without the knowledge of the Company.

4.06 "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.

4.07 "Internal Committee" or "IC" shall mean the internal committee as per the POSH Act set up under this Policy.

4.08 “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 together with the rules made there under.

4.09 “Party” or “Parties” shall mean both the Aggrieved Person / Complainant and the Respondent.

4.10 “Respondent” shall mean a person against whom a Complaint has been made. 4.11 “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 a sexual nature.

4.11 Further, the following circumstances (among others) may amount to Sexual Harassment 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.

4.12 “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), and, in connection with the Workplace, Social media platforms and electronic media and communication during or outside the office. These above instances are only illustrative and by no means constitute an exhaustive definition of Sexual Harassment.

## 5. Duties of the Employer

5.01 The Employer shall formulate a separate Sexual Harassment policy and circulate the same to all its Employees.

5.02 The Employer shall constitute an IC.

5.03 The Employer shall display the Policy at conspicuous places in the Workplace along with the consequences of Sexual Harassment.

5.04 The Employer shall conspicuously display the composition of the IC along with the contact details (email etc.), where the Aggrieved Person / Complainant can send their Complaints.

5.05 The Employer shall hold regular workshops and awareness programs to sensitize all its Employees about the Policy in place.

5.06 The Employer shall ensure that the IC is also regularly trained and sensitized to appropriately handle the grievances sent to it. In this regard, the Employer shall hold regular orientation and capacity-building programs to educate and upskill the IC members. The Employer shall provide necessary facilities to the IC for dealing with Complaints and conducting inquiries.

5.07 The Employer shall make available all such information from its records to the IC which may be required for the purpose of conducting the inquiry.

5.08 The Employer shall act upon the recommendation of the IC within 60 days of receipt of the report of the IC. Further, the Employer shall provide assistance to the Aggrieved Person in case he / she chooses to file an FIR in relation to the offence.

5.09 The Employer shall monitor timely submission of the annual report by the IC.

## 6. The Internal Committee

6.01 Composition of the IC. The constitution of the IC shall be as follows:

- The IC shall always consist of a total of 4 (four) members, and the total membership of the IC shall not be below 4 (four) in any circumstance.
- At least half (50%) of the total IC members shall be women at all times. The Presiding Officer is the head of the IC, who shall be a senior woman Employee of the Company ("Presiding Officer").
- The Committee members shall consist of a mix of employees of the Company and an external member as prescribed.

6.02 Jurisdiction of the IC:

- The IC has the jurisdiction to address only issues related to Sexual Harassment at Workplace.
- If the Complaint is made against the Employer, the IC shall refer the case to the local committee, as required by the POSH Act.
- At any time, during the pendency of the inquiry, if it is found by the IC that the act of Sexual Harassment has elements of other crimes, 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.

6.03 Disqualification of the IC. The IC members shall be removed where they are found to:

- Have been guilty of sharing confidential information related to the Sexual Harassment inquiry, conciliation, etc. to the press or public.
- Have been convicted for an offence under any law for the time being in force.
- Have an inquiry pending under any law for the time being in force.
- Have been found guilty in any disciplinary proceedings.
- Have any disciplinary proceedings pending against them.
- Have so abused the position, so as to render their continuance in office prejudicial to public interest.
- If any complaint arises against the presiding officer or any of the members of the IC, the Presiding Officer, or other IC members, as the case may be, will remove themselves from the proceedings and an alternate member shall be appointed in their position to the IC to avoid any conflict of interest.
- Have a bias against the Aggrieved Person.

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

- • Accepting and registering in due time, any Complaint pertaining to Sexual Harassment.
- Conducting inquiries within the specified timelines and recommending to the Employer, any action to be taken.

- Recommending to the Employer, the need for medical, psychological, and emotional assistance to the Parties, if necessary.
  - Seeking police or legal intervention wherever necessary.
  - Keeping the entire proceedings confidential.
- The IC shall submit an annual report to the Employer and district officers containing details, as detailed in Paragraph 10 herein, of the Complaints made in the past calendar year.
- All members of the IC, before proceeding with any inquiry on the Complaint of Sexual Harassment at the Workplace shall ensure that they are free of any conflict of interest with the Parties.
  - Conducting quarterly meetings, scheduling awareness sessions for Employees, and providing IC details by way of a poster.

#### 6.05 Term and Vacancy:

- Each IC member shall hold office for a term of 3 (three) years from the date of appointment (provided, except in the instance of the external members, they continue to remain Employees of the Company during this period).
- The Employer may temporarily extend the Term of any IC member in order to dispose of any pending Complaints.
- The Employer shall be entitled to remove IC members in the manner provided for under the POSH Act and herein.
- Except for the external members, once an IC member ceases to remain an Employee for any reason whatsoever, such member shall no longer remain a part of the IC.
- In case any vacancy arises in the IC, the same shall be filled within a reasonable time of arising of such vacancy. The total number of IC members including the Presiding Officer and external committee member shall not be less than 4 (four) at any given time.

#### 6.06 Recusal by Member:

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

#### 6.07 Powers of the IC:

- 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.
- The interim reliefs and recommendations by the IC shall be binding on the Employer and the Parties.

## 7. Redressal Process

7.01 An Aggrieved Person who alleges to have been subject to any act of Sexual Harassment shall make a Complaint to the IC at their respective location.

7.02 Where the Aggrieved Person is unable to make a Complaint because of physical incapacity, a Complaint may be made by the following persons on obtaining a written consent from the Aggrieved Person:

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



7.03 Where an Aggrieved Person is unable to make a Complaint because of mental incapacity, a Complaint may be made by the following:

- Relative
- Friend
- A special educator
- A qualified psychiatrist or psychologist
- A guardian
- Authority under whose care the Aggrieved Person is taking treatment or care • Any person who has the knowledge of the incident jointly with the Aggrieved Person • Any person who has the knowledge of the incident, with the written consent of the Aggrieved Person
- Any person who has the knowledge of the incident can make a Complaint to the IC by obtaining the written consent of the legal heir of the aggrieved in case of death of the Aggrieved Person.
- The 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.

7.04 The Aggrieved Person can directly report to the IC by sending a mail to [internal.committee@amagi.com](mailto:internal.committee@amagi.com). All e-mails sent to this ID shall be received and handled by the IC.

7.05 The Complaint shall be made within 3 (three) months from the date of occurrence of the incident of Sexual Harassment (in case of a series of incidents, within a period of 3 (three) months from the date of the last incident). The IC may extend this time limit by an additional period of 3 (three) months if the IC is satisfied that the delay in reporting the incident is a reasonable delay.

7.06 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.

7.07 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.

7.08 On receipt of the Complaint, the IC shall acknowledge the receipt of Complaint and ascertain the Complaint.

7.09 IC shall take steps to ensure confidentiality.

7.10 After receiving a Complaint, the IC shall within 7 (seven) working days, send a copy of the same to the Respondent.

7.11 The Respondent shall submit a written reply within 10 (ten) working days from the date of receipt of the Complaint.

7.12 During the pendency of an inquiry, on a written request being made by the Complainant, the IC may recommend that the Company:

- Transfers the Aggrieved Person / Respondent to another office as deemed appropriate.
- Grants leave to the Complainant for up to 3 (three) months, which shall be in addition to the leave that the Complainant would be entitled to otherwise.
- Dissolve the reporting relationship between the Parties.
- Any other measures as the IC deems fit.



7.13 While the Complaint is being ascertained, the IC shall inform the Aggrieved Person / Complainant about 'conciliation.' Conciliation is a process of settling the issue amicably between the Parties with IC as the Conciliator. Either Party can either agree or reject to conciliate. No monetary settlement shall be made as the basis of conciliation. After arriving at the settlement, the IC shall record the terms and conditions and obtain the signatures of the Parties on the settlement agreement and the same shall be forwarded to the Employer. The Aggrieved Person / Complainant and the Respondent shall also receive copies of the settlement documentation. Where a settlement has been reached, a further inquiry shall not be conducted.

7.14 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.

7.15 A fair, prompt, and impartial inquiry shall be conducted by the IC, which shall examine the merit of every Complaint made.

7.16 IC shall hold examinations separately to record statements of Aggrieved Person, Complainant, Respondent, and Witnesses. This will be followed by a cross-examination.

7.17 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.

7.18 Any evidence submitted to the IC by the Aggrieved Person, Complainant, Respondent or witness shall be duly examined by the IC.

7.19 The IC shall ensure that prior notice of a hearing is given to all concerned Parties. 7.20 If the Complainant/Respondent fails to attend 3 (three) consecutive hearings without sufficient cause, the IC shall terminate the inquiry or pass an ex-parte order respectively.

7.20 If the Complainant/Respondent fails to attend 3 (three) consecutive hearings without sufficient cause, the IC shall terminate the inquiry or pass an ex-parte order respectively.

7.21 Such an ex-parte recommendation shall not be passed without giving prior written notice of 15 (fifteen) days to the concerned Parties.

7.22 The IC shall ensure that the inquiry is, at all times, conducted in accordance with the principles of natural justice.

7.23 The IC shall complete the inquiry within 90 (ninety) days from the date of receipt of the Complaint. In case of any delay, the reasons for delay shall be duly documented.

7.24 After completion of the inquiry, the IC shall have an additional 10 (ten) days to prepare the Inquiry report.

7.25 A copy of the inquiry report shall be shared with the Parties and reasonable time shall be given to the Parties to raise any objections or concerns.

7.26 The IC shall address the objections and concerns, if any, raised by the Parties and then make its recommendations.

7.27 The Employer is bound to act on such recommendations within 60 (sixty) days of receipt. 7.28 During the inquiry procedure, none of the Parties shall have a right to be represented by any legal practitioner.

7.29 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 Aggrieved Person / Complainant may have, the IC may make any of the following recommendations against the Respondent:

- The Respondent should undergo training or counselling to address any specific issues.
- The Respondent should provide a written apology to the Complainant.
- The Respondent should be transferred to another position or different place.
- The Respondent should be provided a verbal or written warning which will also be reflected in the Respondent's personnel record.
- Withholding of the Respondent's promotion, increment or bonus (whether in full or in part).
- The services / employment of the Respondent should be terminated/suspended.
- Deductions from the salary of the Respondent to be paid to the Aggrieved Person as compensation.
- Any other recommendations as the IC may deem fit.
- 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.

7.30 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.

## 8. Malicious Complaint

8.01 Where the allegation made by the Complainant against the Respondent is 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 in the instance of a genuine case of Sexual Harassment at the Workplace.

8.02 Mere inability to substantiate a Complaint or provide inadequate proof will not make a Complaint malicious.

## 9. Appeal

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

## 10. Annual Report

10.01 The IC shall submit an annual report to the Employer and the District Officer, for each calendar year, which shall contain the following details:

- Number of Complaints received in the year.
- Number of Complaints disposed off during the year.
- Number of cases pending for more than ninety days
- Number of workshops or awareness programs against sexual harassment carried out.
- Nature of action taken by the Employer or District Officer.

## 11. Confidentiality

11.01 It shall be the duty of the IC as well as every person having knowledge of the Complaint to ensure strict confidentiality with respect to the contents of the Complaint and its and inquiry proceedings.

11.02 The contents of the Complaint made, the identity and address of the Aggrieved Person, Respondent, and witnesses, any information relating to conciliation and inquiry proceedings, recommendation of the ICC, and the action taken by the Employer shall not be published, communicated or made known to the public, press, and media in any manner.

11.03 Only the justice secured to the Complainant may be made known under the reports required to be furnished under the law, subject to return approval by the Company.

11.04 Failure in maintaining confidentiality shall attract a minimum penalty of INR 5,000/- (Indian Rupees Five Thousand Only) or any higher penalty as may be prescribed by the Company, which will be imposed by the company on the defaulting person.

## 12. Protection Against Retaliation

12.01 The Company prohibits any form of retaliation against an individual who has raised a Complaint or has cooperated in any inquiry involving a Complaint.

12.02 Any individual who believes to be experiencing retaliation should report the same to the IC.

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

## 13. Amendments

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

## 14. Dissemination

14.01 The Policy shall be mandatorily made available to every Employee at the time of joining employment or service to the Company.

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