TowerVision® Infrastructure Sharing	TOWER VISION INDIA PVT LTD POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE	Policy No: HR / POL/9 Effective Date:10th November 2014 Total Pages: Nine

1. OBJECTIVE

TOWER VISION 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. The Company expresses zero tolerance of any sexual harassment at workplace through prevention, resolution and deterrence of acts of sexual harassment. Sexual harassment at the workplace, or other than work place if involving Employees, is a grave offence and is, therefore, punishable.

2. SCOPE

This policy shall be applicable to all employees of TOWER VISION and its affiliates including any associate engaged on fixed term contract, short term engagement, temporary, apprentice, trainees, and contract persons. It shall also include any unwelcome behaviour of a sexual nature mentioned in the policy by any Vendor/Supplier/Contractor, including their agents, supervisors, managers and their employees.

3. DEFINITIONS

3.1 Aggrieved Person

An "Aggrieved Person" means a person, who is either employed, associated or visiting the Company, and has complained of sexual harassment. An Employee includes everyone working at the workplace for any work - be it on a regular, temporary, ad hoc, contract or daily wage basis. It includes co-workers, contractors, probationers, interns, trainees or apprentices. It is immaterial whether they work for remuneration or not, have been employed through an agent or not, or work on a voluntary basis or not.

3.2. Respondent

A "Respondent" means a person (employed, associated and visiting the Company) against whom the Aggrieved Person has complained.

3.3. Workplace

Any place where working relationship and/or employer-employee relationship between the Company and the Aggrieved Person exists.

3.4. Member / Nomination - External Agency

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.

4. MEANING OF SEXUAL HARASSMENT

Under this policy, any unwelcome acts or behavior whether they are direct or by implication shall amount to sexual harassment. It includes the following:

i. Physical contact or advance(s) such as but not limited to grabbing, touching the body, and /or attempting to do so. Advances can be verbal, written, or physical.
ii. A demand(s) or request(s) for sexual favour(s) such as but not limited to unwanted sexual attention quid pro quo in nature.
iii. Making sexually colored remark(s) such as but not limited to verbal sexual innuendos such as jokes, suggestions, or hints about sexual behavior, repetitive commenting of physical appearance in a sexual context.
iv. Showing pornography - e.g. display, giving or sending of pornography in the form of pictures, books, magazines, postcards, photos, animation, sound recording, film, video, and video games done personally and/or via documents, or by telephone, cell-phone messages, web site communication, or emails.
v. Any other physical, verbal and non-verbal behavior sexual in nature - e.g. non-verbal communication such as gestures of sexual nature; stalking; persistent visiting; telephoning; sending of cell phone messages; other invasions of personal privacy

Additionally

If there are following circumstances along with or apart from, it shall amount to sexual harassment (creation of hostile work environment).

a. Direct and/or indirect promise of preferential (special) treatment in employment.
b. Direct and/or indirect threat of detrimental (harmful/damaging) treatment in employment.
c. Direct and /or direct threat about the present or future employment status.
d. Creation of conditions and situations that interfere with work or the creation of an intimidating or offensive work environment.
e. Humiliating treatment is likely to affect the health and/or safety of the aggrieved person.

5. INSTITUTION OF THE COMPLAINTS REDRESSAL COMMITTEE

There will be an Internal Complaints Committee (ICC) constituted by an order in writing at all the offices of the Company across the country. There will be an Apex Complaints Committee (ACC) at the head office over and above the ICCs. The ACC will supervise and monitor functioning of ICCs.

5.1. Composition of the Internal Complaints Committee (ICC):

(1) Chairperson - Shall be a woman employed at a senior level at workplace amongst the Employees

(2) Three Members- Shall be amongst Employees preferably committed to the cause of women.

(3) One Member- The complaints committee shall appoint/co-opt a nominee from an external agency or from a Non-Governmental Organizations (NGO) or associations committed to cause of woman or a person familiar with the issues relating to sexual harassment. Such a society or charitable trust must not be affiliated to any political party, and should have been engaged in work for gender equality, particularly for the improvement of the status of women, for a minimum of three years prior to the date of empanelment.

Not less then half of its member shall be women at all times. The constitution of the ICC shall be displayed at the notice board of the offices of the Company. **Annexure 1** shall be updated from time to time to reflect the current constitution of the ICC.

Quorum

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.

5.2. Responsibility of ICC:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

6. REDRESSAL MECHANISM

6.1. Specifications in the Complaint

(1) The Aggrieved Person should attempt to indicate to the person indulging in the sexually offensive behaviour that the behaviour is unwelcomed, and specifically request the respondent to stop the behaviour. Where the Aggrieved Person feels that he / she cannot ask the respondent to stop the offensive behaviour, or despite having done the same the behaviour continues, they may ask for it to be dealt with under this grievance procedure.

(2) It is important that the Aggrieved Person keeps a written record of dates, times, details of the conduct and witnesses, if any.

(3) Each complaint should at the minimum be specific as to:

- Nature of sexual harassment
- Identity of the person(s) involved
- Facts and circumstances in support of the complaint

6.2. Filing the Complaint

The Aggrieved Person can inform and approach any member of the ICC with a written complaint within period of 3 months in case the Aggrieved Person is a woman and 1 month in

case the Aggrieved Person is a man from the date of the incident(s). The ICC may extend the time limit to a maximum of 3 more months in case the Aggrieved Person is a woman and 45 days in case the Aggrieved Person is a man by recording the reasons in writing if it is satisfied that the circumstances were such that they prevented the Aggrieved Person from filing the complaint during the initial three/one month period respectively.

However, in case of woman, if the complaint can't be made in writing by her, then assistance needs to be provided by a member of the ICC. Alternatively, if the Aggrieved Person is a woman and is unable to make the complaint on account of her physical incapacity, mental incapacity, death or otherwise, other person such as her relative, friends, coworker or heirs may make the complaint.

6.3. Alternative Method of Resolution - Conciliation

(1) Within 30 working days after the 1st meeting the ICC can take steps to settle the matter between the parties. It can do so only at the request of the Aggrieved Person making sure that there are no coerced conditions. Through separate and joint meetings and within 40 days the conciliation has to be concluded unless both the parties are willing to extend the time. No monetary settlement shall be made.

(2) The ICC will record the terms of the settlement and file a closure report with the HR Department to take the action mentioned in the settlement.

(3) If the Aggrieved Person is a woman, then she can withdraw from the conciliation process by stating the reasons for withdrawal to the ICC.

(4) Once the settlement is arrived at the ICC will not do any further inquiry into the complaint. However, reasonable follow up shall be maintained with the Aggrieved Person by the HR Department or ICC. However, if the behavior or the terms of the settlement are not complied with, the ICC shall impose such disciplinary action as it deems fit.

6.4. Formal Complaint Resolution & Inquiry Process

Where it is proposed to hold an inquiry against the respondent, the ICC with the help of HR Department shall draw up a formal charge sheet containing the definite and distinct articles of charge(s) which shall include:

(a) Statement of all relevant facts
(b) List of documents by which and/or a list of witnesses by whom the article of charge are proposed to be sustained.

The ICC shall hand over the statement of charges to the person charged and give him/her opportunity to submit a written explanation if he/she so desires within 5 days. If no written statement is submitted by the Respondent within the time specified, the ICC may proceed with the inquiry.

6.4.1. Steps to be Taken During the Inquiry:

(1) Explanation of Procedure

The ICC will organize a meeting with the Aggrieved Person to enquire into the matter and intimate date, time, and place of inquiry to all relevant persons. At the commencement of the inquiry the ICC members shall explain to both the Aggrieved Person and the Respondent the procedure which will be followed in the Inquiry.

(2) **Aggrieved Party's Narration**

The ICC members shall hear the Aggrieved Person and record the complaint. The Aggrieved Person can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate the complaint.

(3) Respondent's Narration

Thereafter, the Respondent shall be called for a deposition before the ICC and an opportunity will be given to him/her to give an explanation.

(4) Calling & Examination of Witnesses

If either of the parties desires any witness (es) to be called, they shall do so by communicating it in writing to the ICC. The ICC shall call upon these witnesses mentioned after ascertaining their relevance to the case. They are free to examine and cross examine the witnesses.

(5) Submission of Documents

If the parties desire to tender any documents by way of evidence before the ICC, they shall supply original/scanned/photocopy copies and by signing certify them to be original copies.

(6) Powers of ICC

The ICC is free to obtain, summon and enforce from the concerned department such information in the form of written communication, witnesses, previous records, and data of the concerned/relevant Employees which may be helpful for the investigation. All Employees and the Company are required to cooperate. ICC will have the right to ask any of the Employees, vendors, contractors, agents, suppliers, consultants, retainers, probationers, trainees, apprentices and even external persons significant to the complaint to appear before it. For the purposes of an inquiry the ICC has the same powers as vested with a Civil Court under the Code of Civil Procedure, 1908.

(7) Confidentiality

Respect of all persons involved and confidentiality would be maintained throughout the investigation process. Likewise the complainant as well as the persons going through the process of an inquiry must maintain confidentiality of the matter.

(8) Venue

In case of women, the venue of the inquiry should as far as practicable and be as per the convenience of the Aggrieved Person. However, in case of men, the venue shall be on the discretion of the ICC.

(9) Language & Record in Writing:

The inquiry shall be conducted in the language understood by both the Aggrieved Person and the Respondent but necessarily recorded in English. All proceedings of the ICC will be recorded in writing.

(10) Sharing the Findings:

The ICC shall share a copy of the findings of the inquiry with the Aggrieved Person and the Respondent.

6.4.2. Interim Recommendations & Requirements to be met During Pendency

(1) During the course of the inquiry, the ICC on its own and/or at the written request of the Aggrieved Person for that period, may recommend to the Management:

(i) To transfer either the Aggrieved Person or the Respondent,

(ii) Grant leave to the Aggrieved Person (this leave would be in addition to the one they are already entitled to),

(iii) Restrain the Respondent from reporting on the work performance or confidential report of the Aggrieved Person and assign the same to another officer,

(iv) Restrain the transfer of the Aggrieved Person to any other place if he/she does not opt for such transfer,

(v) Issue a restraint order to warn the Respondent that any attempt on his/her part, or by person(s) acting on his/her behalf, to contact or influence, or intimidate, or exert pressure on the complainant or witnesses may prove prejudicial to his case.

(vi) Person charged with sexual harassment to be kept away from work/ or sent on transfer till the time such inquiry is completed to avoid tampering of documents, pressure on the witnesses and the aggrieved person.

The ICC will recommend the above mentioned after considering and determining the totality of the circumstances.

(2) ICC shall keep complete and accurate documentation of the complaint, its inquiry and the decision thereof. The Management shall implement the interim recommendations of the ICC and send a report of the implementation to the ICC as well as COO.

6.4.3. Submission of Inquiry Report:

Post inquiry - a complaint shall either has been proved to have amounted to sexual harassment or has been proved to have not amounted to sexual harassment or has been proved to have been malicious. Regardless, an Inquiry Report stating the finding shall be submitted within a period of 10 days after the end of the inquiry.

Additionally, an inquiry report is also to be submitted by the ICC to ACC within 10 days. The report will contain outline of the case, investigation process, conclusion based on the balance of probabilities, findings based thereof and recommendations. Report containing recommendations by the local ICC's shall be forwarded to the ACC at the head office. The ACC after examining the report shall send it back to the local ICC for improvement or accept the same. The ACC shall forward the same to the HR Department for further action.

6.4.4. Recommendations to the Management

(1) <u>If the complaint has been proved to not have amounted to sexual harassment:</u>
The ICC shall recommend to the ACC that no action be taken. It is still however required to submit an inquiry report.

(2) <u>If the complaint has been proved to have amounted to sexual harassment:</u>

The ICC shall recommend to the ACC to:

(a) Initiate disciplinary action against the Respondent as provided in the Employee Handbook /Service Rules of the Company.

(b) Deduct a sum from salary or wages of the Respondent as it may consider appropriate to be paid to the Aggrieved Person. In case deduction from salary/wages is not possible due to absence or cessation from employment, Respondent can be directed to pay the amount to the aggrieved person directly.

(3) <u>If the allegation against the accused has been proved to be malicious or evidence given false or misleading:</u>

The ICC shall recommend to the ACC to take suitable action(s) so as to prevent recurrence and deter others from raising complaints in bad faith and initiate appropriate disciplinary action in accordance with the Employee Handbook/Service Rules as the case may be.

6.4.5. Determination of Damages

Damages made to the Aggrieved Person are to be based on the following:

(1) Mental trauma, pain, suffering and emotional distress caused to the person.
(2) Loss in career opportunity due to incident of sexual harassment.
(3) Medical expenses incurred by the person for physical and psychiatric treatment.
(4) Income and financial status of the respondent
(5) Feasibility to pay in lump sum or instalments.

6.4.6. Disciplinary Action

(1) In all situations, behaviour of the convicted will be strictly monitored by the ICC or by the HR Department during the post inquiry phase.

(2) It could be either one or combined actions as given below:

- Written apology
- Undergoing a Counselling Session
- Carrying out community service
- Change of work assignment / transfer for either the perpetrator or the victim.
- Written warning that is to be enclosed in the convicted 's permanent file and taking a written bond of good conduct
- Reprimand or censure
- Withhold promotion till such period mentioned
- Withhold increments of pay rise or increment till such period mentioned
- Termination from service
- Compel the Respondent to pay a reasonable amount of compensation to the complainant

7. PROTECTION AGAINST RETALIATION

Regardless of the outcome of the complaint made in good faith, the Employee lodging the complaint 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 accused against the complainant while the investigation is in progress should be reported by the complainant to ICC as soon as possible. Disciplinary action will be taken by the ICC against any such complaints which are found genuine.

8. DISSEMINATION OF THE POLICY

A copy of this policy shall be circulated amongst all the Employees and they shall sign a statement acknowledging that they have read, understood and will abide by the Policy.

9. COMPLAINTS MADE WITH A MALICIOUS INTENT

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our Employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual/tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. The

Employees who are victims of sexual harassment may in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

10. CONCLUSION

In conclusion, the Company reiterates its commitment to provide its Employees especially women, a workplace free from harassment/discrimination and where every Employee is treated with dignity and respect.

Annexure 1

Composition of the ICC as of circulation of policy

INTERNAL COMPLAINTS COMMITTEE (ICC)

PARTICULARS	MEMBERS	DESIGNATION	DEPARTMENT
Chairperson	Ms. Meera Sawhney	Assistant Manager	Legal and Secretarial
Member	Ms Geeta Bhayana	Senior Manager	Finance
Member	Mr. Ashwani Kumar Chanour	Vice President	Human Resource & Administration
Member	Mr. Nitin Bachchavat	Vice President	Finance

The ICC shall be supported by each regional head for matters pertaining to each respective circle.