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## **Prevention of Sexual Harassment of Women at Workplace**

### **1. Preamble**

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 from the date of Gazette Notification i.e., w.e.f. 23.04.2013 and same has been published in the Gazette of India, Extraordinary, Part-II, Section-1, dated the 23rd April 2013 as Act No. 14 of 2013. The Act provides for protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto. It is highly required that women are protected against sexual harassment at all the work places, be it in public or private. This essentially will contribute to the understanding of their right to gender equality, liberty and moreover, equality in their working conditions. The sense of security at the workplace/study place will improve women's participation in overall progress, resulting in their economic empowerment and inclusive growth as whole.

### **2. Women's Grievances Redressal Committee (WGRC)**

India has recently passed the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Sexual Harassment Act") and has made the law effective w.e.f. April 23, 2013. The law convincingly ardently states that "No women shall be subjected to sexual harassment at any workplace. The new sexual harassment act 2013 is exactly on the same terms as the Vishaka Judgment punishable up to five years rigorous imprisonment with/without fine or both.

**RAJ TELEVISION NETWORK LIMITED (RAJTV)** has adopted the guidelines in Compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Sexual Harassment Act") and guidelines laid down by the Supreme Court of India in its 13 August 1997 judgment on the Writ Petition (Criminal) Vishaka vs. State of Rajasthan for prevention and deterrence of sexual harassment in the workplace.

### **3. Key Provisions**

The Act defines 'sexual harassment' to include such unwelcome sexually determined behavior (whether directly or by implication) such as:

- i. Physical contact and advances;
- ii. Demand or request for sexual favors;
- iii. Sexually colored remarks;
- iv. Showing pornography; and
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.



#### **4. Harassment**

Women's Grievances Redressal Committee or WGRC at **RAJTV** has been constituted in accordance of directives of the Ministry of Human Resources, Government of India, under the directive of Supreme Court of India. **RAJ TELEVISION NETWORK LIMITED (RAJTV)** is committed to ensure that a place of work / study to be free of sexual harassment, intimidation or any kind of exploitation. WGRC is meant for addressing issues/grievances/cases of sexual harassment and recommending their redressal. It is in keeping in view the Article 21 of the Constitution of India which assures every individual the right to live with human dignity, free from exploitation. It is therefore, obligatory to see that there is no violation of the fundamental right of any person. With this spirit that **RAJTV** expects that its entire STAFFS AND MANAGEMNT – including senior management to executive level employees– will treat each other and VISITORS at RAJTV with respect. All members of the **RAJTV** cover all women, irrespective of her age or employment status including those who are in temporary or short term positions are subject to this policy. Anyone violating this policy is subject to disciplinary action.

#### **5. Objectives**

The objectives of the Committee are:

- Prevent discrimination and sexual harassment against women, by promoting gender harmony among students and employees;
- Deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support to the victimized and termination of the harassment;
- Recommend appropriate disciplinary action against the guilty party to the Department heads / Management

#### **6. What is Sexual Harassment?**

After the Supreme Court judgment on the landmark case of Vishaka Vs. State of Rajasthan and others in 1997, sexual harassment was legally defined as an unwelcome sexual gesture or behavior whether directly or indirectly as:-

- Sexually colored remarks
- Physical contact and advances
- Showing pornography
- A demand or request for sexual favors
- Any other unwelcome physical, verbal/non-verbal conduct being sexual in nature
- Unsolicited telephone calls / e-mails with the intention of sexual harassment. 3 If the following circumstances exist in relation to any behavior, that is, if any act is done under the following circumstances that would also count as 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 her present of future employment status.
- Interferes with work or creates an intimidating/hostile/offensive work environment
- Humiliating treatment likely to affect her health and safety.
- Creating a hostile work environment.



Basically it is any unwelcome words or actions of sexual nature. The critical factor in sexual harassment is the 'un-welcomeness' of the behavior, thereby making the impact of such actions on the recipient more relevant for consideration rather than the intent of the perpetrator. Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when: It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations, or permission to participate in a University activity.

Examples:

- Denial of payment or official approval in the absence of sexual favors
- Pornographic pictures/messages displayed on desks or sent by email
- Remarks made about personal appearance and dress
- Colored jokes shared in the office that make others present feel uncomfortable.

## **7. Functioning of the Committee:**

### **1. The Complaint Mechanism Procedure to File/report a complaint:**

- An aggrieved woman can file a complaint within one month of the incident (or later if allowed by the committee).
- At first instance, the committee shall recommend appropriate psychological and emotional support/assistance.
- The complainant will have to submit a written and signed complaint addressed to the any member of the Committee.
- The identity of the aggrieved woman, respondent, witnesses as well as other details of the complaint will be kept confidential, cannot be published or disclosed to the public/.media.

### **2. Follow up of the complaint:**

- The management will call the complainant for a personal meeting, usually within a week from the submission of the written complaint.
- The members of the committee will discuss the complaint.
- The committee shall look into the truth of the allegations contained in the complaint.
- If the case falls outside the purview of the committee, the complainant will be informed about the same by the appropriate authority.
- If the case comes under the purview of the committee, an enquiry committee will be set up.
- A three member enquiry/fact finding committee will be set up comprising of two female members and one male member of the committee.
- The enquiry committee shall have the power to summon witnesses and call for required information from any person of RAJTV.
- Documents / information to be retained by the committee.
- The enquiry has been completed within time period of 90 days.



### **3. Submission of report:**

- The enquiry committee will submit a report to WGRC committee and recommend the nature of action/penalties to be taken against person found guilty at the earliest by the appropriate authority.
- As the case may be, they (Management) are mandated to take action on the report within 60 days.
- The Act provides the option of a settlement between the aggrieved woman and the responded through conciliation but only on the request of the woman. However, money compensation cannot be a basis for the settlement.
- In case of malicious complaints or false evidence, the committee may take action against the woman/person. However, simply not being able to prove an allegation will not mean that it is a false/malicious complaint.

### **8. Internal Complaints Committee**

#### **Head Office**

Raj Television Network Ltd,  
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| Sl.No | Departments                        | Department Heads          |
|-------|------------------------------------|---------------------------|
| 01    | Finance, Accounts and Admin        | M Rajendran,<br>CMD-      |
| 02    | Distribution                       | M Rajarathinam- Director  |
| 03    | Technical ,HR, Operation and Admin | M Ravindran<br>- Director |
| 04    | Sales & marketing                  | M Regunathan-<br>Director |

**Direct Contact no: 04424334376**

#### **Branch Offices**

| Sl.No | Department  | Department Heads   |
|-------|---|--|
| 01    | Mumbai<br>NO. 105, Swapna Co-op Hsg Society,<br>1 <sup>st</sup> Flr, S.K. Bhole Marg,<br>Dadar West, Mumbai - 400028.<br>Phone: +91 - 022 - 24214200 /01 /03<br>Fax: +91 - 022 - 24214205 | Mr Easwariyer-<br>Mumbai Branch                          |
| 02    | Delhi<br>1407, 14 <sup>th</sup> Floor, Ansal Towers, 38 <sup>th</sup> Nehru<br>Place,<br>New Delhi - 110 019 Phone: 099 - 41002982,<br>41002975   | Mrs. Suman Malik-<br>Delhi Branch                        |
| 03    | Bangalore<br>#16/1,K K M P, Millers Tank Bund Road,<br>Vasanth Nagar, Bangalore - 560052<br>Phone: 0080 - 22343123  | Mr Hameed Palya<br>& Mr Senthil Kumar-<br>Channel heads- |
| 04    | Hyderabad<br>NO. 8-2-293/82/A/656/1,<br>ROAD NO. 32,<br>JUBILEE HILL,<br>HYDERABAD, 500033<br>Phone: 040 - 29800105, 106, 107   | Head office in charges                                   |

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