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1.0.0. Purpose & Objective:

Spark Minda – Ashok Minda Group (Group) believes in equal employment opportunity without gender bias and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment.

Any form of sexual harassment will not be tolerated and the Group is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment. The policy provides a framework for prevention and redressal of the complaints, if any as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2.0.0. Scope:

The policy is applicable to all employees of all units/ companies of Spark Minda – Ashok Minda Group. Employees will include all staff level employees, permanent associates, contractual associates and any other person working directly or indirectly with the Group companies.


3.0.0. Coverage:

Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

- (a) physical contact and advances;
- (b) a demand or request for sexual favours;
- (c) sexually coloured remarks;
- (d) showing pornography;
- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace. Sexual harassment cases can be classified into two categories - quid pro quo and creation of a hostile working environment.

- (a) Under the quid pro quo (meaning this for that) form of harassment, a person or authority, usually the superior of the victim, demands sexual favours for getting or keeping a job benefit and threatens to fire the

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employee if the conditions are not met. It will also include implied / explicit promise for preferential or detrimental treatment in employment, threat to present or future employment status, etc.

(b) A hostile work environment arises when a co-employee or supervisor creates a work environment through verbal or physical conduct that interferes with another co-employee's job performance or creates the workplace atmosphere which is intimidating, hostile, offensive or humiliating and experienced as an attack on personal dignity. For example an employee tells offensive jokes. No person shall indulge or caused to be indulged under instructions from superior in sexual harassment of co-employees.

4.0.0. Internal Complaints Committee (ICC):


Company & Unit-wise ICC will be constituted for time bound redressal of sexual harassment complaints and the same will be communicated to all respective employees.

- Presiding officer of ICC will be a woman employed at senior level, provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other administrative units / offices.
- Two members preferably having experience in social work or legal knowledge.
- And one member from an independent NGO working in the field related to women upliftment / prevention or redressal of sexual harassment and shall be paid fees or allowances for holding the proceedings of ICC.

One half of total ICC members including Presiding Officer should be women.

ICC will be constituted by HR Head with approval of SBU Head / CEO as per below table; for a period of three days from the date of nomination.

Name	Designation	Contact Details (Email ID and Phone No.)
	Presiding Officer	
	Member	
	Member	
	Member	

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5.0.0. Policy administration and Procedure:

5.1.0 The Group is committed to providing a supportive environment in which concerns of sexual harassment can be resolved as under; where the employee will have option to either to resolve the concern through informal resolution or through ICC.

5.2.0 Informal Resolution Option

5.2.1 When an incident of sexual harassment occurs, the victim of such conduct can communicate the concern to the Departmental Head / SBU Head / CEO / GCHRO / GCEO.

5.2.2 The concerned authority will take appropriate action within 15 days of such grievance.

5.2.3 If the victim is not comfortable with the action taken, the victim can bring the concern to ICC for redressal of grievances.

5.3.0 Resolution through the ICC

5.3.1 It is the obligation of the employee to report sexual harassment experienced by him / her personally or a concerned co-employee may also inform to ICC for any instance or behavior of sexual harassment by a co-employee towards another employee.

5.3.2 The concerned employee shall give the complaint in writing to the Presiding Officer of the ICC giving details of the incident as soon as possible or preferable within a period of 15 days of such occurrence as per annexure – A.

5.3.3 Once the complaint is received, it will be kept strictly confidential.


5.3.4 The employee accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated against the victim.

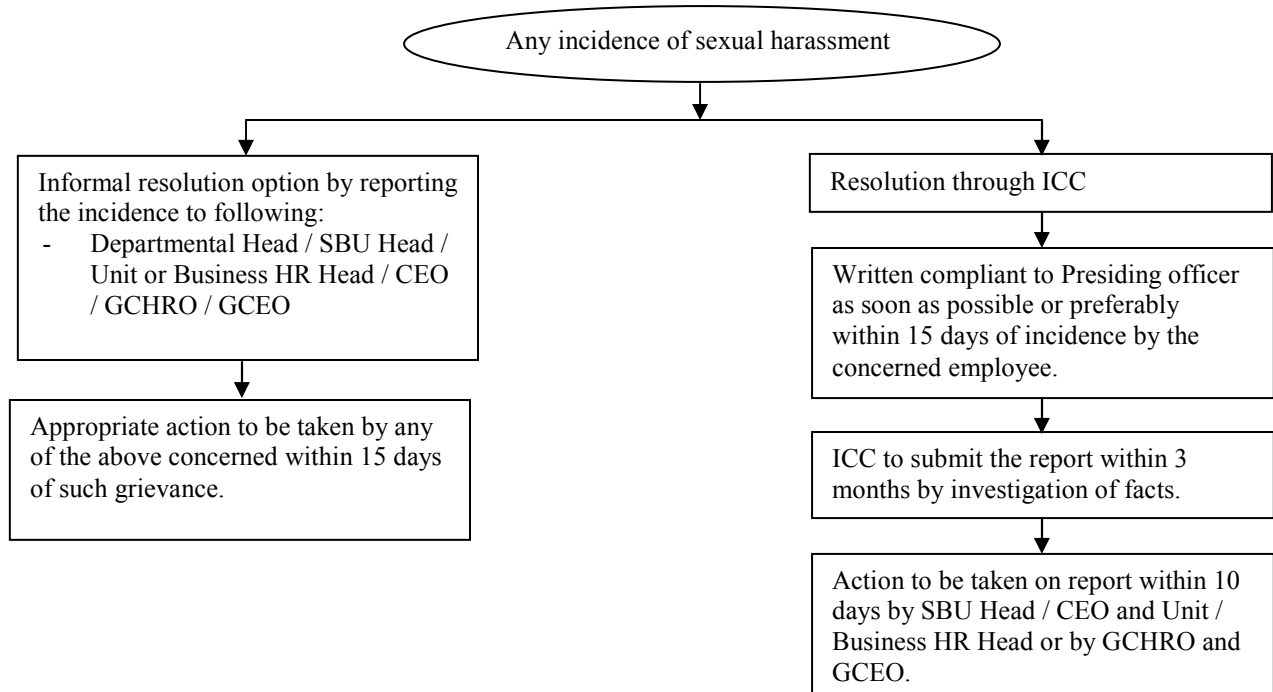
5.3.5 The ICC shall ensure that a fair and just investigation is undertaken immediately.

5.3.6 Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the authenticity of their contentions. If required, the employee who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.

5.3.7 The complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed on urgent basis however not exceeding 2 months from the receipt of the complaint and submit the same to the BGH / CEO and BG / Unit HR.


5.3.8 If the investigation reveals that the complainant has been sexually harassed as claimed, SBU Head / CEO and BG HR, GCHRO / GCEO will take necessary disciplinary action against the accused within 10 days of receiving the enquiry report.

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6.0.0. 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. While dealing with complaints of sexual harassment, the ICC shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. 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 the ICC as soon as possible. Disciplinary action will be taken by the ICC against any such complaints which are found genuine.

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7.0.0. Complaints made with malicious intents:

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.

8.0.0. Disciplinary Action :

Where any misconduct is found by the ICC, appropriate disciplinary action shall be taken against the accused.

9.0.0. Confidentiality:


The policy understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

10.0.0. Other related guidelines:

9.1.0 The Presiding Officer of the ICC will send quarterly and annual reports to BGH and GCHRO.


9.2.0 During the inquiry the aggrieved woman can request and on recommendation of ICC the management – transfer the women to any other workplace or grant leaves to the woman, or any other such relief.

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11.0.0. Power to change the policy:

This Policy can be changed or modified or changed at any time by the GCEO in line with working environment and / or based on applicable regulations on recommendation of GCHRO.

The policy has been framed in line with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Any change in the Act will be applicable to the policy.

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Annexure – A

Compliant Form for Sexual Harassment			
Business:		Unit / Location:	
Name of the complainant:		Name of accused:	
Victim:		Department of accused:	
Date of incidence:			
Incidence details:			
Witnesses; if any:			
Date of report:		Signature:	