1. INTRODUCTION

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

2. COMMITMENT:

a) CARBURE ACTIVATED CARBON PRIVATE LIMITED also referred to as the Company is committed to providing a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment and conducive to the professional growth of its employees and encourages equal opportunity for their development and advancement, protect their privacy and do not tolerate any form of harassment or discrimination.

b) The Company intends to provide protection against sexual harassment of women employees at the workplace and prevention and redressal of complaints of sexual harassment and matters related to it.

2. SCOPE:

This policy applies to all employees (full-time, part-time, trainees and those on contractual assignments) of the company, including all the subsidiaries and affiliated companies at their workplace or at the client sites. The company will not tolerate sexual harassment if engaged in by clients, by suppliers, any other business associates or any person entering the company premises.

The workplace includes:

a) All offices or other premises where the Company's business is conducted.

b) All company-related activities are performed at any other site away from the company's premises.

c) Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

3. DEFINITIONS:

1. **SEXUAL HARASSMENT**: Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual harassment at the workplace includes:

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

The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to 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 the present or future employment status;
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect her health or safety.

2. **AGGRIEVED WOMAN**: In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.

3. **RESPONDENT**: A person against whom a complaint of sexual harassment has been made by the aggrieved woman

4. **EMPLOYEE**: A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a coworker, a contract worker, probationer, trainee, apprentice or by any other such name.

5. **WORKPLACE**: In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with the Company, including transportation provided for undertaking such a journey.

6. **EMPLOYER**: A person responsible for management, supervision and control of the workplace.

4. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

a) All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy.

b) All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

5. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of an "Internal Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim.

6. INTERNAL COMPLAINTS COMMITTEE:

The Company has constituted an Internal Complaints Committee for redressal of sexual harassment complaints and for ensuring time-bound treatment of such complaints. The details of the committee is notified to all employees at the workplace.

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The Complaints Committee will comprise the following members:

a) **Presiding Officer**: Woman employee at the level of Assistant General Manager or above

b) At least 2 members from amongst employees committed to the cause of women and /or having legal knowledge

c) One external 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.

At least one half of the total members is women.

The Presiding Officer and every Member of the Internal Committee shall hold office for a period not exceeding 3 years from the date of their nomination.
Current nominated members are given in Annexure – A.

The Complaints Committee is responsible for:

i) Investigating every formal written complaint of sexual harassment

ii) Initiating and conducting enquiry as per the established procedure

iii) Submitting findings and recommendations of inquiries

iv) Coordinating with the employer in implementing appropriate action

v) Maintaining strict confidentiality throughout the process as per established guidelines

vi) Submitting annual reports in the prescribed format.

vii) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment

viii) Discouraging and preventing employment-related sexual harassment

7. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

Lodging a Complaint

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace. The complaint must be lodged within 3 months from the date of incident/ last incident. The Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing. If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent. - Legal heir, relative or friend - Co-worker - Any person having the knowledge of the incident If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

Wherever possible the Company ensures that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

Receiving a Complaint (guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint:

- Complaint are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily
- Situations are not be pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, complainants own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity

  Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

Resolution procedure through conciliation

Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. **This is only if requested by the aggrieved woman.**

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within **2 weeks** of receipt of complaint.

The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

Resolution procedure through formal inquiry

Conducting Inquiry

The committee initiates inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

The Committee proceeds to make an inquiry into the complaint within a period of 1 week of its receipt of the original complaint/closure of conciliation/repeat complaint.

Manner of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present.

Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to –

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

Termination of Inquiry

The Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex-parte order.

Inquiry procedure

All proceedings of the inquiry is documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are taken.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements.

In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

Considerations while preparing inquiry report

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity of being heard
- A copy of the proceedings were made available to both parties enabling them to make representation against the findings

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A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee.

Action to be taken after inquiry

Post the inquiry the committee submits its report containing the findings and recommendations to the employer, **within 10 days** of completion of the inquiry.

The findings and recommendations are reached from the facts established and is recorded accurately.

If the situation so requires, or upon request of the complainant, respondent or witness, the Company may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company.

Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

i. Counseling
ii. Censure or reprimand
iii. Apology to be tendered by respondent
iv. Written warning
v. Withholding promotion and/or increments
vi. Suspension
vii. Termination
viii. Or any other action that the Company may deem fit.

The employer acts upon the recommendations within 60 days and confirms to the committee.

Post implementation of the actions, follow up with the complainant occurs to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is undertaken by the complainant's Manager supported by HR.

Malicious Allegations

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, **within 90 days** of the recommendations being communicated.

8. PROTECTION TO COMPLAINANT / VICTIM:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of revenge, any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

CONCLUSION:

In conclusion. the Company reiterates its commitment to providing its employees with a workplace free from harassment / discrimination and whereevery employee is treated with dignity and respect.