

CORPORATE POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

OBJECTIVE

As an organization we are committed to ensuring that the work environment at all our locations is conducive to fair, safe and harmonious relations between employees. Discrimination of any kind is strictly prohibited. Sexual harassment at workplace is a form of discrimination and misconduct and is therefore regarded as unacceptable.

The aim of this policy is to prevent and redress sexual harassment at workplace, and to enforce appropriate disciplinary action in face of any such occurrence, thereby enabling employees to deliver their best at work without fear of discrimination and prejudice of any kind.

SCOPE OF THIS POLICY

- This policy applies to all employees (men and women) who are employed with the Clean Max Enviro Energy Solutions Limited (“**COMPANY**”) including but not limited to contractual or temporary employees.
- All individuals (male or female) who visit the premises of the company for any purpose such as customers, visitors, work from home, etc.
- The policy will extend to all locations of the company. The possible locations could be:
 - Any business location of the company
 - Any external location visited by the employee due to or during the course of employment with the company, such as business locations of other organizations/entities, guest houses, hotels, etc. or;
 - Any mode of transport provided by the company (or a representative of the company) to an employee for undertaking a journey to and from the locations mentioned above.

DEFINITION OF THE ISSUE

1. **Sexual harassment** - A broad definition of sexual harassment at workplace consists of any unwelcome physical, verbal or non- verbal conduct of unnecessary, improper or unwelcome sexual nature and may include one or more of the following acts or behaviors (whether directly or by implication):
 - Unwelcome sexual advances, requests for sexual favors, display of sexual visuals, sexual audios, pornographic or obscene material and any other verbal or physical conduct of a sexual nature; or
 - Transmitting any message, by mail, telephone, e-mail, etc. which is obscene, lewd, suggestive or blatantly sexual in nature; or
 - Any explicit or implicit communication wherein a sexual favor or demand, whether by words or actions, is made a condition for an individual’s employment, career progress, promotion etc. thereby creating a hostile environment; or
 - Sexually charged jokes or remarks and behavior which have sexually oriented innuendoes; or
 - Consistent patterns of unnecessary physical contact, staring or targeting unreasonable attention at an individual in day to day dealings; or
 - Any pervasive pattern of behaviors which makes employees uncomfortable, insecure or feel humiliated or disadvantaged in any way; or
 - Stalking or making repeated unnecessary, unwelcome visits to place of residence; or

- Actual sexual assault.

The above list is an indicative but not an exhaustive list of possible forms of sexual harassment at workplace.

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.
7. **Internal Complaints Committee (ICC):** It means a committee constituted by Company as per this policy.
8. **Presiding Officer:** It means the Presiding Officer of the Internal Complaints Committee

CLEAN MAX APPROACH TOWARDS SEXUAL HARASSMENT AT WORKPLACE

The company views all incidents of sexual harassment in workplace seriously and follows a zero-tolerance approach towards any act of sexual harassment at the workplace. All incidents of sexual harassment at workplace are prohibited, and any complaint or report of sexual harassment at the workplace will be inquired, and if proved, appropriate action will be taken against the respondent. The nature and seriousness of the offence will be adjudged by an Internal Committee (henceforth called IC) constituted as per law depending on several factors, including the presence of the following circumstances while the aggrieved individual was being subjected to any acts of sexual harassment at workplace:

- i. Implied or explicit promise of preferential treatment in one's employment
- ii. Implied or explicit threat of detrimental treatment in one's employment
- iii. Implied or explicit threat about one's present or future employment status
- iv. Interferes with one's work or creates an intimidating or hostile work environment for one
- v. Humiliating treatment likely to affect one's health or safety

The circumstances listed above are not exhaustive. Every proven act of sexual harassment at workplace will be treated as misconduct under the service rules and appropriate action will be undertaken for such misconduct.

AWARENESS

1. All the women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
2. An awareness program shall be conducted among the women employees on the Policy & formation of NICC.
3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at work place.
4. Company shall display the notice showing the name of the NICC members suitably.

5. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.

COMPLAINTS HANDLING PROCESS

The company has established the following process to ensure that any incidence of sexual harassment at workplace is dealt with appropriately, sensitively and expeditiously.

A. Formation of an Internal Committee

The constitution of the Internal Committee is as per the provisions of the Sexual Harassment at workplace of Women at the Workplace (Prevention, Prohibition and Redressal) Act 2013 shall be a five-member internal committee with four members drawn from various departments and the fifth member from the outside agency/organization related to human rights/women rights. This is done to ensure objective decision making. The internal committee will be headed by the senior most woman of the company and no less than half its members shall be woman.

Location	ICC Member
Mumbai Corporate Offices, Pune Regional Office & Maharashtra sites	Sweta Sajnani, Pranjal Paul, Pramod Deore, Anil Mahajan, Ratika Gandhi, Chintan Shah
Gurgaon & Haryana sites	Vidisha Dubey, Rebecca Fernandes, Amit Singh, Rakesh Jhinjha
Bangalore & Karnataka sites	Tejus AV, Sweta Sajnani, Prashant Patankar, Shwetha Bhatt, Chandrashekhar Reddy
Chennai & Tamil Nadu sites	A Manjula, Sanjay Bhatia, Regina Grace
Gujarat & Rajasthan sites	Shobhit Sharma, Rebecca Fernandes, Vanita Gughe, Kunal Shekhar

B. Process for Dealing with Incidents of Sexual Harassment at Workplace

Aggrieved individual who experiences sexual harassment at workplace must file a complaint in writing to the internal committee within three months from the date of the incident. However, this time limit may be extended by the internal Committee if there are substantial reasons, justifications or circumstances which have prevented the employee or individual from filing this complaint. In the event of the physical or mental incapacity of the affected employee or individual, his/her immediate family may also file such a complaint on his/her behalf.

I. Conciliation

After filing such a complaint, if the aggrieved individual so requests, prior to initiating an inquiry, the internal Committee can try to settle the matter through conciliation, provided that no monetary conciliation shall be made as a basis of such conciliation. If such a conciliation is reached, the internal Committee will record the conciliation and action will be taken by the company as specified in the recommendation. Copies of the conciliation will also be provided to the aggrieved individual and the respondent. However, it is to be noted that wherever a conciliation is arrived at, no further inquiry will be made by the internal Committee, unless the terms of the conciliation have not been complied with.

II. Inquiry Process

- If the aggrieved individual does not request for a conciliation then, on receipt of such a complaint, the internal Committee will immediately proceed to inquire all relevant details of the matter.
- The internal Committee shall make the inquiry into the complaint in accordance with the principles of Natural Justice.
- A minimum number of three members of the internal Committee, including the Presiding Officer should be present for conducting the inquiry.
- Both parties will be given reasonable opportunity to be heard by the internal Committee. A copy of the findings shall also be given to both parties to enable them to make representations against the findings before the internal Committee.
- This inquiry will be completed within 90 days. Further, within 10 days of completion of the inquiry, the internal Committee will formally record the result of the inquiry and forward its recommendations for appropriate action to the concerned officers of the company who will act upon such recommendations within 60 days of receipt.
- A provision to the appeal to the decision of the company is provided within the law within a period of 90 days to a court or tribunal as may be prescribed under the Act.

III. Interim relief

Where an inquiry is initiated on a complaint then, if the complainant so desires, he/she can request for any of the following actions to be taken during the pendency of the complaint as an interim measure of relief:

- Transfer of either of the parties to any other workplace; or
- Grant of leave to a complainant up to a period of three months; or
- Restraining the respondent from reporting on the work performance of the complainant or writing him/her a confidential report and assign the same to another officer; or
- Grant such other relief to the complainant as may be prescribed under the Act

The internal Committee may provide such recommendations to the company to implement. The leave granted to the complainant will be in addition to his/her entitled leave.

IV. Procedure to be followed by the Internal Committee for conducting an Inquiry

For the purpose of conducting an inquiry into any complaint received by it from an aggrieved individual, the internal Committee may:

- Summon and enforce the attendance of any person and examine him/her on oath;
- Require the discovery and production of documents; and
- Perform or require performance of any other such act which may be prescribed under the Act.

V. Action against the Respondent

- Necessary action, including but not limited to such disciplinary action as may be specified in the terms of employment of the offender(s), will be taken with regard to such offender(s) based on the circumstances and seriousness of the offence.
- If the internal Committee so deems fit and appropriate, then it may direct the respondent to pay compensation to the complainant (either through deduction from salary or in case respondent has left Clean Max, or is on leave, then direct payment.)

- If such compensation is not paid, then recovery of this amount will be done as an arrear of land revenue.

VI. Invocation of the Bhartiya Nyaya Sanhita

If the aggrieved individual chooses to file a complaint in relation to the offence under the Bhartiya Nyaya Sanhita or any other applicable law, CleanMax Solar will provide such reasonable assistance to him/her as he/she may require. Furthermore, the company may also cause to initiate action, under the Indian Penal code or any other applicable law, against the offender. In the event that the offender is an employee of a different entity/organization/company, then if the aggrieved individual so desires, the company will cause to initiate action in the workplace at which the incident of sexual harassment at workplace took place.

VII. Malicious complaints

Where the internal Committee arrives at a conclusion that the allegation against the offender is malicious or the complainant has made the complaint knowing it to be false or has produced any forged or misleading document, then the same will be viewed very seriously by the company and appropriate action will be taken against such complaints.

VIII. Confidentiality

Any complaints or incidences reported under this policy shall be treated with all possible care, sensitivity and discretion in protecting the sensibilities of the affected person and no information will be divulged publicly or to any third party which can enable identification of the identity of the affected person.

IX. Preparation of Annual report and compliance with appropriate Government

The internal Committee will prepare an Annual report in accordance with Section 21 of the Act which shall contain the following details:

- Number of complaints of sexual harassment at workplace received in the year
- Number of complaints disposed of during the year
- Number of cases pending for more than 90 days
- Number of workshops or awareness programmes against sexual harassment at workplace carried out
- Nature of action taken by the concerned officers of the company

X. Modification and Review of the Policy

The board is allowed to modify and, or review the provisions of this Policy, to comply with applicable legal requirements, internal policies, or otherwise with a view to revise the provisions of this policy to the extent deemed necessary by the Company from time to time. Any such changes or modifications shall be notified by the Company to its employees in due course. The policy is also subject to review and change by the 'Chief People and Culture Officer'.

Clean Max Enviro Energy Solutions Limited will adhere to the rules as per the provision of this policy.