



Petro Carbon And Chemicals Limited  
(Formerly: Petro Carbon And Chemicals Private Limited)  
Regd. Office:  
Avani Signature, 6th Floor  
91A/1, Park Street, Kolkata-700016  
Plant:  
Haldia Oil Refinery, Haldia - 721606  
Dist: Purba Midnapur, WB  
tel +91 33 40118400  
mail pccl@athagroup.in  
CIN U24110WB2007PLC120212

## PREVENTION OF SEXUAL HARASSMENT POLICY

### 1. Introduction

This policy "Prevention of Sexual Harassment Policy" has been framed in reference with the requirement of "Sexual Harassment of Workmen at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter referred to be as "the Act"). Accordingly, this Policy covers all the important aspects of the Act and rules framed thereunder. However, for any clarification, the respective provisions of the Act and rules shall prevail over this Policy.

### 2. Objective

Our Company is committed to provide a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of every employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of harassment.

### 3. Scope

This Policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace or at client sites. The Company will not tolerate sexual Harassment, if engaged in by clients or by suppliers or any other business associates. The workplace includes:

- i. All offices or other premises where the Company's business is conducted in the ordinary course.
- ii. All company-related activities performed at any other site away from the Company's premises.
- iii. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

### 4. Definition of Sexual Harassment

Sexual harassment may be one or a series of incidents involving unwelcoming sexually determined behaviour. Following circumstances amongst other circumstances mentioned below may constitute sexual harassment

#### 4.1 Verbal or written or physical or non-verbal or visual instances

- Asking for the favour of a sexual act.
- Sending suggestive letters, notes, text/whatsapp messages or emails.
- Making sexual comments about appearance, clothing, personal life, sexuality or body parts
- Asking sexual questions, such as inquiries about someone's sexual history or their sexual orientation
- Touching someone in an inappropriate manner.



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- Forcefully hugging, kissing and massaging.
- Assaulting, making inappropriate sexual gesture.
- Staring in a sexually suggestive or offensive manner.
- Showing pornography.

4.2 If it occurs or is present in relation or connected with any of the below mentioned act or behavior of sexual harassment:

- Implied or explicit promise of preferential treatment in their employment;
- Implied or explicit threat of detrimental treatment in their employment;
- Implied or explicit threat about their present or future employment status;
- Interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- Humiliating treatment likely to affect the health and safety of the aggrieved person. In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

**5. Internal Complaints Committee:**

The Company has constituted an Internal Complaints Committee (“ICC”) in accordance with the Section 4 of the Act. The Committee is constituted at all administrative units or offices for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints. Following are the members of the committee:

<i>Name</i>	<i>Role</i>
Ms. Manisha Somani	Presiding Officer
Ms. Srabanti Mitra	Member
Mr. Arun Kedia	Member

At the time of inquiry, Minimum 3 members including Presiding Officer shall be present one-half of whom shall be women.

The Internal Committee shall be responsible for:

- 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.



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## 6. Redressal Process -

- a) Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 1 Month of occurrence of incident. Internal Complaint Committee may extend the time limit for a reasonable cause.
- b) Complaint shall be submitted in six copies along with supporting documents and the names and address of witnesses.
- c) If complaint cannot be made in writing Committee shall provide reasonable assistance to employee for making complaint in writing.
- d) If the aggrieved employee is unable to make complaint then any of her legal heir may make a complaint on his/ her behalf.
- e) The committee shall send one copy of complaint to the respondent within a period of 10 days and respondent shall file his reply within a period of 20 days.
- f) The committee at the request of aggrieved employee shall take the steps to settle the case through conciliation without involving any monetary settlement as a basis of conciliation and where the settlement has been arrived, no inquiry shall be conducted.
- g) In case, respondent is an employee, the committee shall, proceed to make an inquiry in accordance with the provisions of service rules applicable to the respondent or other prescribed rules.
- h) The inquiry shall be completed within a period of 90 days.
- i) The committee shall provide a report of findings to the Board or Audit Committee within 15 days of completion of inquiry and also to the concerned parties and opportunity of being heard shall also be given to them.
- j) If allegation against the respondent has been proved, the committee shall recommend to the employer:-
  - to take adequate action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent;
  - to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate.
- k) In case, the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management but a mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.
- l) The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.



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- m) The Committee will hold a meeting with the Complainant within seven days of the receipt of the complaint, but no later than a 10 days in any case.
- n) At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his/ her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
- o) Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/ her to give an explanation, where after, an “Enquiry” shall be conducted and concluded.
- p) In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof in writing.

**7. Reporting as per the Section 22 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and rules made thereunder**

- a) The Internal Committee shall in each calendar year prepare an annual report and submit the same to the employer which shall have following details included in its annual report:-
  - number of complaints filed during the financial year;
  - number of complaints disposed of during the financial year;
  - number of complaints pending for more than 90 days;
  - number of workshop or awareness programme against sexual harassment carried out; and
  - nature of action taken by the employer.

**8. Reporting As Per Securities and Exchange Board Of India (Listing Obligations And Disclosure Requirements) Regulations, 2015**

The following disclosure shall be made in corporate governance report forming part of annual report in respect to sexual harassment:-

- number of complaints filed during the financial year
- number of complaints disposed of during the financial year
- number of complaints pending as on end of the financial year.



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**9. Other Points to be considered –**

- a) The Committee may recommend to the Head - HR action which may include transfer or any of the other appropriate disciplinary action.
- b) The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy.
- c) Where sexual harassment occurs as a result of an act or omission by any third party or outsider, ICC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- d) The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to Head - HR.
- e) In case, the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.

**10. False or Malicious Complaint**

Where the Committee arrives at a 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 or any other person making the complaint has produced any forged or misleading document, the Complainant shall, be liable for appropriate disciplinary action by the Board of Directors.

- (i) Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- (ii) Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

Where the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Board of Directors to take necessary actions in this regard.



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**11. Confidentiality –**

The Company 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 the investigatory process to the extent practicable and appropriate under the circumstances.

The contents of complaint, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the employer shall not be published, communicated or made known to the public, press and media in any manner.

**10. Access to Reports And Documents –**

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

**11. Amendment to the Policy –**

The Board of Directors on its own and/ or as per the recommendations of the Internal Complaint Committee may amend this Policy, as and when required. In case of any recommendation(s), clarification(s), circular(s), etc. issued by the relevant authorities, not being consistent with the provisions of this Policy, which are extracted from applicable provisions of the Act, Companies Act, 2013, SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 or applicable provision of any other acts or rules, to the extent it may be applicable to our Company, then such amendment(s), clarification(s), circular(s), etc. shall prevail upon the provisions hereunder and this Policy shall stand amended accordingly from the effective date as laid down under such amendment(s), clarification(s), circular(s), etc. However, to bring the effects of such amendments(s), clarification(s), circular(s), etc. Committee may recommend such changes in this Policy to the Board of Directors for their approval in the meeting of the Board of Directors.

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