



*MAHESHWARI MINING PRIVATE LIMITED*

HEAD OFFICE: 21, C.L.M. LANE, RANIGANJ – 713347,  
DIST. - BURDWAN, (WEST BENGAL) INDIA  
CONTACT: + (91) - 341-2445446/1864/ 5210

---

**PART – II**

**EMPLOYEE CODE OF**

**CONDUCT**

---

REGD. OFFICE: FR - 07, 4TH FLOOR, LB-1, CF BUILDING,  
SHILPANGAN, SECTOR - 3, SALLAKE,  
KOLKATA – 700098 (WEST BENGAL) INDIA  
CONTACT: + (91) - 33 – 23359337



## **EMPLOYEE CODE OF CONDUCT**

### **I. Short Title, Commencement and Applicability:**

- These rules may be called as Maheshwari Mining Private Limited Employee's (Conduct, Discipline & Appeal) Rules 2013.
- These rules shall apply to all employees on Company rolls, working at corporate, Registered Office and at various locations on deputation or permanent placement, but shall not apply to any employee those are in casual employment.
- In these rules, 'Masculine' shall include 'Feminine' and 'Singular' shall include 'Plural' or vice versa.

### **II. Definitions:**

- **“Appointing Authority”** in relation to an employee means the authority empowered by the Articles of Association of the Company / Board / CMD or any other authority delegated the powers to make appointment to the grade in which the employee is for the time being including or the post which the employee for the time being holds.
- **“Board”** means Board of Directors of the Maheshwari Mining Private Limited and in relation to any powers exercised by it also includes any Committee of the Board / Management or any officer of the Company to whom the Board delegates any of the powers.
- **“Company”** means the Maheshwari Mining Private Limited.
- **“Competent Authority”** means the Authority empowered by Article of Association / Board / CMD by any general or special rule or order, to discharge the functions or use the powers specified in the Rule of order.
- **“Employee”** means a person (Both Male & Female) in the employment of the Company, both regular and on contract basis as well as probationers and Trainees other than casual, or workmen as defined in the Industrial Dispute Act 1947, but includes person on deputation to the Company and on deputation from the Company.
- **“On Contract”**: Which means the tenure of employment for a specified period of time and the employee is entitled to only the benefits specified in the contract of



appointment subject to the prior approval of the Management. Such contract employee shall not have any right to claim permanency or regularization of his employment in the organization after the expiry of the specified period. Unless terminated earlier by one month's notice or pay in lieu thereof, such appointment will automatically come to an end at the expiry of the specified period and no notice or any compensation will be payable 'Management' means the Board, the Chairman and Managing Director, or any other person delegated with the powers to act on his behalf and / or to whom any of the this powers are delegated.

- **“Regular”** The regular employee is one who is employed on a regular basis, which includes a probationary employee who has satisfactorily completed probationary period to the entire satisfaction of the Management, and who has been confirmed by an order in writing.
- **“Probationer”** Probationer is an employee who is provisionally employed for a regular post, declared as probationary by the management and has not completed Six months of service on the post. Unless confirmed in writing, the employee will be deemed as a probationer after expiry of initial or extended period of probation. Provided further, that if a regular employee is employed as a probationer on any other post, he maybe at any time be reverted back to his substantive / original post during or after the probationary period, and an order in writing to this effect will be given to the employee.
- **“Temporary”** A temporary employee will include:
  - i. A person who is appointed for a limited period mentioned in the appointment letter; or
  - ii. A person who is appointed for work of an essentially temporary nature not intended to be carried on a regular basis; or
  - iii. A person employed in connection with the temporary increase in work of a regular nature ; or
  - iv. A person employed to work provisionally for a limited period in a post till regular arrangements for filling that post are made.
- **“Casual”** Casual means the employee who is employed to fulfil unexpected requirements due to unusual or seasonal pressure of work or for work which is of an occasional or casual nature. The employee's salary / wages are fixed on a daily or hourly basis and the employee is not entitled to leave or any other benefits of any kind as available to permanent employees.
- **“Part time”** A part time employee means an employee who is employed for work for less than the normal period of working hours. Part - time employees are not ordinarily



entitled to the benefits provided to full time employees. They shall be entitled to such benefits as are determined by the management.

- **“Consultant / Retainer”** Which means the person is employed for only consultancy part time or full time for the tenure of employment for a specified period of time and the employee is entitled to only the benefits specified in the contract of appointment subject to the prior approval of the Management. Such Consultant / Retainer employee shall not have any right to claim permanency or regularization of his employment in the organization after the expiry of the specified period. Unless terminated earlier by one month’s notice or pay in lieu thereof, such appointment will automatically come to an end at the expiry of the specified period and no notice or any compensation will be payable.
- **“Trainee”** All Fresh Graduate / Diploma / Graduate Engineer / Management students joining the Organization who have been appointed by the Company as “ Trainee” for a fixed tenure but shall not include any Temporary of Apprentice. The trainee shall be eligible for fixed stipend and any other benefit as declared by the employer on his employment.
- **“Apprentice”** Any person employed by the Company for a fixed period as prescribed by the provisions of the Apprentice Act. He shall be entitled to benefits as prescribed in the Apprentice Act or any other benefits as promised by the employer on engagement.
- **“Members of the Family (Nuclear)”** in relation to the employee include:
  - i. The wife or husband as the case may be, of the employee, whether residing, with him / her or not but does not include a wife or husband, as the case may be, separated from the employee by a divorce or order of a competent court.
  - ii. Sons or daughters or step - sons or step - daughters of the employee and wholly dependent on him, but does not include a child or step - child who is no longer in any way dependent on the employee or of whose custody the employee has been deprived by under any law.

### **III. Code of Conduct and Ethics for Employees:**

The principles stated below underline and supplement the rules and laws regulating the public and private conduct of the employees.



➤ **Objective**

- i. The role of the employee is to assist the Company to achieve its objectives as spelt out in the Charter constituting the setting up of the Company.
- ii. It is the obligation of every employee of the Company to uphold the Rule of Law and respect for human rights solely in the public interest. He / she must maintain the highest standards of probity and integrity.
- iii. In relation to the general public, the employees of the Company should conduct themselves in such a manner that the public feels that the decisions taken on the recommendations made by them (employees) are objective and transparent, and are not calculated to promote improper gains for the political party in power or for themselves or for anyone else.
- iv. Employees of the Company should not seek to frustrate or undermine the policies, decisions and actions taken in the public interest by the Management by declining or abstaining from action which flows from the Management decision. Where following the instructions of the superior authority would appear to conflict with the exercise of impartial professional judgement or affect the efficient working of the Company, he should set out points of disagreement clearly in writing to the superior authority or seek explicit written instructions.
- v. Where an employee of the Company has reasonable grounds to believe that he is being required by the superior, authority to act in a manner which is illegal or against the prescribed rules and regulations, or if any legal infringement comes to his notice, he should decline to implement the instruction, and would also have a right to bring the facts to the notice of the Chairman and Managing Director of the Company. It shall be incumbent to examine the issue carefully and take action appropriately.
- vi. The religion, region, caste, language of the employee will have no influence on the working of his official capacity.

➤ **Conflict of interest and peer pressure**

- i. Employee of the Company should refrain from decisions in respect of which they have reason to believe that they are calculated to benefit any particular person or party at the expense of the public interest.



- ii. Every employee of the Company shall disclose any clash of interest when there is conflict between public interest, and he / she is likely to benefit from any act of omission or commission while discharging his / her functions.
- iii. The employees of the Company should be alert to any actual or potential conflict of interest, financial or otherwise, and should disclose this to their superiors, whether the conflict covers them or their family members.
- iv. The employees of the Company should maintain their independence, dignity and impartiality by not approaching politicians and outsiders in respect of service matters or private benefit. They should exercise peer pressure to dissuade those who do so within the Organization and make efforts to set in motion disciplinary proceedings against such persons.

➤ **Non abuse of official position**

The employees of the Company have responsibility to make decisions on merits. They are in a position of trust. They must not use their official position to influence any person to enter into financial or other arrangements with them or with any one else. They must not abuse their official position to obtain a benefit for themselves or for someone else, in financial or some other forms.

➤ **Continuous improvement through professionalism and teamwork**

It shall be the duty of every employee of the Company to continuously upgrade his skills and knowledge, strive for creativity and innovation and nurture the values of team working and harmony. He should promote and exhibit public and private conduct in keeping with the appropriate behaviour and standards of excellence and integrity. He should support the juniors in the latter's efforts to resist wrong or illegal directives and in abiding by the Code of Ethics. At the same time, they should reward good work and punish any dereliction of duty and obligations, based on objective and transparent criteria.

**Refer Chapter – XVI Business Ethics Policy**  
**Policy No.- HR | BEP - 2013-14 | 016**



---

# CHAPTER – XVI

# BUSINESS ETHICS POLICY

---

HR | BEP - 2013-14 | 016



### **Objectives of Code of Ethics:**

A code of ethics aims at the following:

- **Guidance:** It provides direction to the most important element of an organization namely the “People”, so that they know how to conduct themselves in terms of ethical behavior and give them a sense of common identity.
- **Confidence:** It inspires public confidence besides enhancing the reputation of the organization.
- **Initiative:** It provides initiative and stimulation to the suppliers and customers for proper conduct by creating a sense of moral obligation.
- **Ethical culture:** It promotes a culture of excellence by not just formally teaching ethics, but by demonstrating through leaders the commitment of the organization to ethical behavior.

### **General integrity:**

- Maheshwari Mining Private Limited has established a strong reputation for integrity in its business. To maintain and enhance that reputation, it is important for each of us to adhere to the highest moral, ethical and legal standards. Only by conducting business in this manner can the company progress and ensure the respect of employees, customers, suppliers and government.

### **Demonstrated Track Record of "High Performance" Behaviors:**

- ✓ You must follow the Golden Rule at all times – treat others, as you want to be treated.
- ✓ Demonstrate respect for fellow employees as well as customers and vendors.
- ✓ Demonstrate drive and initiative, willingness to assist team members and relate well with a diverse team of individuals.
- ✓ Empower and energize others by simplifying complexity, clarifying what needs to be done and holding self and others accountable and recognizing contributions.
- ✓ Commit to excellence in results and behaviors.
- ✓ Demonstrate ability to set priorities and meet deadlines.
- ✓ Have the ability to effectively prioritize work and resources to complete projects on time, often without direction from manager.





### **Communication Skills:**

- ✓ Communicate in a clear, concise and effective manner with internal and external customers.
- ✓ Have excellent listening, written and verbal skills, including strong proofreading skills.

### **Compliance with the law:**

- Compliance with laws and regulations applicable to the company is essential.

### **Bribery:**

- Bribery in any form is forbidden in the conduct of the business of the company. No company funds are to be used, directly or indirectly, for any bribe, kickback or other unlawful payment. No outside consultant, attorney, accountant or agent of any other nature may be used or employed in any manner that would be contrary to this policy. Fees, commissions and expenses paid to agents should be based upon reasonable standards for the services rendered.

### **Accounting practices:**

- MMPL will follow accepted accounting rules and controls. The books of account, budgets, projects evaluations, expense accounts and other similar papers must accurately reflect these rules and controls. All assets of the company must be accounted for carefully and properly. No payment of company funds may be approved or made with the understanding that any part of the funds will be used in a manner contrary to this policy.
- The company's certified accountants will be given access to all information necessary for them to conduct audits properly. MMPL will maintain effective disclosure controls and procedures. Employees who become aware of facts that lead them to believe that other colleagues may be involved in inappropriate conduct should immediately make those facts known to their head of departments or other responsible officials of the company. Employees also may contact the Board of Directors to report such concerns.



### **Conflicts of interest:**

- The term "conflict of interest" describes any circumstance that could cast doubt upon an employee's ability to act with total objectivity regarding the company's interests. Employees should avoid situations in which there is, or may seem to be, a conflict between the personal interests of the employee and the interests of the company.
- Employees should not accept, directly or indirectly, any entertainment, gifts or services from any supplier or potential supplier that would appear to influence an employee's judgment. Such circumstances should be viewed as they would if all of the details were to be made completely public. Cash and cash equivalents, including gift certificates and gift cards, should never be accepted.
- Employees may not benefit personally from any purchase of goods or services for the company or derive any personal gain from transactions made on behalf of the company. Any premium awarded by suppliers will be considered the property of the company. Any premium received by an employee should be turned over to the company. These premiums may then be handled in accordance with accepted company practice.
- If the situation is found to present a conflict, it should be resolved promptly. If it cannot be resolved, the employee may be subject to termination.

### **Confidential information and business secrets:**

- As a privately owned company, MMPL is governed by strict securities laws regarding the dissemination of information about the company to the public. In business and personal conversations, employees should limit comments about the Company to information that has been publicly released by the Company. Non-public information about the company should be treated as confidential. No information about activities, earnings, systems, technology, proposed company developments or products should be disclosed, and employees must adhere to practices designed to safeguard that information. Employees should not, under any circumstances, disclose business secrets to others, even after leaving employment with MMPL. Company secrets may include business methods and cost information, software, systems and other modes of business used by the Company.



### **Corporate hospitality:**

- Hospitality towards public officials and those with whom the company does business is both proper and appropriate, as long as it does not exceed common courtesy and is not of such magnitude as to suggest the compromise of the parties with whom we are dealing. No gift or entertainment may be tendered that would exceed reasonable standards.

### **Supplier relations:**

- Much of our reputation for integrity and fair play comes from the manner in which we deal with our suppliers. We make every effort to deal fairly and impartially with all suppliers of goods and services, showing them the same courtesy and consideration we would expect them to show us. Our choice of a supplier will be made on the basis of price, quality and services offered. Our employees must not profit personally from company business with suppliers. Employees who become aware of facts that lead them to believe that other colleagues may be involved in inappropriate conduct should immediately make those facts known to their managers or other responsible officials of the company. Employees also may contact Head of Department and the Board of Directors, to report such concerns.

### **Customer relations:**

- Our company will succeed only if we serve customers well. All customers deserve friendly, courteous treatment without bias or discrimination. Our customers have the right to adequate information concerning the prices of the services provided to them. They are also given the assurance that the quality of the services provided and their prices represent a fair value.

### **Employee relations:**

- We are committed to a policy of equal opportunity for all employees without regard to race, color, religion, gender, national origin, age, disability or sexual orientation. The safety and health of our employees is paramount, and working conditions will reflect this. We will provide for growth and development through appraisal, training programs and on-the-job experience. We are committed to dealing fairly and equitably with each employee.



- Each employee has an obligation to deal with other employees in a human, humane and professional manner without regard to race, color, religion, gender, national origin, age, disability or sexual orientation.
- We expect our employees to work diligently and to deal honestly with customers and suppliers.

#### **Detection of improprieties:**

- All employees are obligated to report to the company any inappropriate use of company assets, violations of law or this policy, or other similar improprieties, and are encouraged to report any concerns they have regarding any possible improper conduct. Each operating unit has established and will maintain procedures designed to facilitate such reporting to a designated department or individual. The procedures are clearly communicated to all employees in the Organization and include a statement that employees may contact the Head of departments or the Competent Authority as an alternative means of reporting any concerns. MMPL will not take any adverse action against any employee in retaliation for the proper and lawful reporting of improprieties.

#### **Follow – through:**

- The MMPL Company Policy on Business Ethics must be understood and implemented in everyday business practice throughout our company. Managers are encouraged to maintain an "open door" policy for any employee who may have a question about ethics. At the same time, we expect all our employees to be open and completely candid with management about questions of complying with this policy. Employees are reminded that the time to bring up a question of ethical behavior is before the fact, rather than after the fact. Employees should never hesitate to talk to the managers about a question of business conduct, no matter how small or insignificant it may seem to be.
- There are other ways we will make attention to this policy an integral part of managing our business. These steps include:
  - ✓ at least once a year, employees should review the Policy on Business Ethics booklet to ensure that the policy is fully understood;
  - ✓ managers will investigate any suspicion that unethical or illegal activities are taking place and call upon the Competent Authority for assistance;



- ✓ the company periodically will provide ethics training to employees to reinforce this policy.
- The Company's certified accountants will immediately report any violations or suspected violations of this policy on business ethics that come to their attention as a result of conducting audits of the company. With employees' support, we can ensure that violations of this policy are called to the attention of the appropriate MMPL officials.
- Concealment of violations is in itself a violation of this policy. If we are to hold ourselves to these high standards, each of us must understand that the Company's best interests are our own best interests and that we are expected to exercise good judgment as well as moral courage in matters of investigation and reporting covered in this document.
- Like our policy on business ethics itself, the system we have devised to assure compliance will be subject to change and revision over time. The company has no intention of overcomplicating our business lives with unnecessary procedures. But at the same time, all employees are expected to adhere to these policies.

#### **Interpretation**

**Should any dispute or doubt arise as to the interpretation of these rules, the decision of the Board of Directors will be final.**

#### **Changes and Modifications**

**The Company reserves the Right to add / delete / modify any of the above detailed terms and clauses and subsequently the related modifications shall be intimated to the employees.**



#### **IV. Scope of an Employees' Service:**

- i. Unless it is otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Company and he shall serve the Company in its business in such capacity and at such places as he may, from time to time, be directed.
- ii. Notwithstanding anything contained in the appointment order or any other document, Management may relocate or reassign the services of the employee or trainee from one project to other or to any of its subsidiary or JV Companies or from one location to other, or from one department to other etc. for administrative reasons.

#### **V. Liability to abide by the Rules:**

- Every employee of the Company shall at all time:
  - i. maintain absolute integrity;
  - ii. maintain devotion to duty;
  - iii. shall conform to and abide by these and other Rules of the Company and shall observe, comply with and obey all lawful orders and directions which may, from time to time be given to him / her in the course of his / her official duties by any person or persons under whose jurisdiction, superintendence or control he is placed;
  - iv. refrain from indulging in any act of sexual harassment of any woman at any of the work places of the Company.
- Every employee who is in charge of the work place shall take appropriate steps to deter and prevent sexual harassment of any women at such work place. Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, appropriate action shall be initiated in accordance with law by making a complaint with the appropriate authority.
- Every employee of the Company holding supervisory post shall take all possible steps to ensure the integrity, proper conduct and devotion to duty of all employees for the time being under his control and authority.
- Every employee shall at all times conduct himself soberly and temperately while on official premises and also in public, show proper respect and civility to all concerned and shall use his utmost endeavour to promote the interest of Company and to maintain and promote the good reputation thereof.



## **VI. Age:**

- Each person entering service of the Company shall submit his / her proof of the date of birth. Employee's age as mentioned in the DOB Certificate / Matriculation / Higher Secondary Certificate will be deemed to be a conclusive proof of his / her date of birth. In case of any conflict in the DOB in different Certificate, the decision on DOB by Company Management will be final.
- In case the employee is unable to produce document as in (i) above, the attested extracts from Register of Birth & Death containing his date of birth and duly authenticated by appropriate authority will be accepted as evidence of age.
- In case an employee produces more than one documentary evidence in support of his / her date of birth / age, the certificate indicating highest age shall be accepted and recorded by the Company.
- Once the date of birth is accepted and recorded at the time of joining, it shall become final and binding. However, the Company reserves the right to ask the employee at any time to produce documentary evidence of his / her date of birth on the basis of additional information / evidence, which may subsequently come to the notice of Management and if any discrepancy is noticed, Management may change the date earlier recorded after giving due notice to the employee. This is without prejudice to Management's right to take other disciplinary actions as per rules, if it is found that any false information was given by the employee.
- Once the date of Birth is recorded as above, no alteration on the request of the employee would be allowed.

## **VII. Inefficiency:**

- Inefficiency would be evaluated on the basis of the Annual Performance Appraisal Reports. An employee who has secured average / adverse reports for three times in previous five years may be deemed as a fit case for premature retirement.

## **VIII. Doubtful integrity:**

- An employee who gets an adverse entry in his Annual Performance Appraisal Reports on his integrity three times in previous five years would be recommended for premature retirement.
- The Confidential Reports of those employees whose integrity has been considered doubtful or which contain adverse reports will be put up to the Management along



with the recommendation of the committee, if such reports have not otherwise been put up to him as Reviewing Officer or as Accepting Authority.

#### **IX. Medical Unfitness:**

- If an employee has been continuously on medical grounds for a period of 12 weeks (including Sundays and holidays) or he / she has been on leave for reasons of sickness for a total period of 120 days or more (including Sundays and holidays) during a continuous period of six months or if a person is attending duties but is found to be mentally or physically unfit, the Company may refer him to a Competent Medical Board as decided by the Management for thorough medical checkups and report the following:
  - i. The conditions the employee is suffering from;
  - ii. Whether the condition is curable or incurable, occupational or otherwise;
  - iii. Whether the disease is infectious / contagious; and
  - iv. In case of curable disease whether the person is likely to be fit to resume his normal duties within a period of 12 months.
  
- If the employee is not fit to resume his / her duties within a period of 12 months or suffering from incurable and infectious / contagious disease or suffering from lunacy or mental derangement and whose usual services cannot be utilized by the Company or whose attendance is likely to pose health hazard to others as certified by the Medical Doctor, premature retirement will be considered, by the Competent Authority, on recommendations of the Medical Doctor.

#### **X. Premature Retirement Dues:**

- An Employee who is prematurely retired will be entitled to the following dues:
  - i. Pay for the notice period of 1 month or as applicable under his / her terms and conditions of service / contract, plus leave salary for un-availed earned leave. The quantum of leave salary will not exceed the maximum limit to which earned leave can be accumulated / en-cashed under the Leave Rules applicable to the employee.
  
  - ii. Full Provident Fund contribution of the employer with accretions thereto in the account of the employee subject to the provisions of the Provident Fund Rules applicable to the employee.





- iii. As per the Gratuity Act, 1972 an employee who completes 5 years or more continuous service or either resigns or retires or services terminated or dismissed or discharged is liable to be paid Gratuity at the rate of 15 days Basic salary for each completed year of service to a maximum of Rs. 3, 50,000.00 or 20 months' salary whichever is less.

**XI. Termination of Employment:**

- The services of an employee may be terminated in accordance with the terms of appointment and in accordance with Policies of the Company.

**XII. Obligation to Maintain Secrecy:**

- No employee shall, except in accordance with any general or special order of the Company or in the performance in good faith, of the duties assigned to him, communicate directly or indirectly, information contained in any official documents or any other part thereof or information to any other person to whom he is not authorized to communicate such documents or information.

**XIII. Participation in Politics and Elections:**

- Except so far as may be authorized by any law, no employee shall be a member or otherwise be associated with any political party or any Organization, which takes part in politics or assists any political movement or activity. No employee shall contest any election without the permissions of the Company, to be a member of any State or Central Legislature or local authority.
- In case permission is granted, the employee shall submit his resignation from the Company, on getting elected. In such case, there will not be any lien on the post from which he resigns.

**XIV. Participation in Demonstrations:**

- No employee of the Company shall engage himself or participate in any demonstration / signature campaign which is prejudicial to the interests of the Company, or which involves incitement to an offence or criticizes the policies of the Company.

**XV. Connection with Press, Radio or Television:**

- No employee shall except with the previous written sanction of the Competent Authority, own wholly or in part, or conduct or participate in the editing or



management of any newspaper or other periodical publication or any other form of news media.

- No employee shall except with the previous written sanction of the Competent Authority or in the bonafide discharge of his duties, participate in a radio broadcast, TV telecast or contribute any article or write any letter either anonymously, pseudonymously or in his own name, to any newspaper, periodical or otherwise.
- However, no such sanction shall be required if such broadcast, telecast or such contribution is of a purely, literary, artistic, educational or scientific nature.

**XVI. Absence from duty without permission, Absence from station or Late Attendance:**

- No employee shall absent himself from his duties without having obtained prior permission of the Competent Authority.
- No employee shall leave the station, where he is posted, without obtaining prior permission of the Competent Authority unless otherwise so authorized by such authority.
- No employee shall leave India, for any purpose whatsoever, without obtaining prior administrative approval from the Company.
- Employees are expected to be at their work area at their scheduled starting time from Mondays to Saturdays. Work schedules may vary in sites / offices including hours of work. In the event an employee reports to work after 1 hour of schedule office start time, he or she will be marked for half day absent. An employee who is habitually late will render himself liable for such disciplinary action as the Competent Authority may deem fit.

**XVII. Consumption of intoxicating Drinks and Drugs:**

An employee of the Company shall:-

- Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he / she may happen to be for the time being.
- Not be under the influence of any intoxicating drinks or drugs during the course of his / her duty.

**Refer Chapter – XVII Drug and Alcohol Policy**  
**Policy No.- HR | D & AP - 2013-14 017**

---

## CHAPTER – XVII

# DRUG AND ALCOHOL POLICY

---

HR | D & AP - 2013-14 | 017



### **Objective:**

- Maheshwari Mining Private Limited (MMPL) is committed to the wellbeing of its employees and to enable employees to perform their work in a productive manner which does not jeopardize their own safety or the safety of others. MMPL aims to foster an attitude among employees that it is unacceptable to come to work under the influence of alcohol or drugs. MMPL is committed to providing a safe and healthy working environment for all employees and those affected by our activities. MMPL's operations will be carried out so as to ensure, so far as is reasonably practicable, that the Health, Safety or Conditions of any person or property will not be adversely affected. The use of drugs or alcohol by individuals can lead to an increased risk of accidents or incidents, the MMPL aims to reduce these risks by means of this Policy.
- To take a proactive approach to ensure that our workplace is a drug and alcohol free environment as part of our commitment to ensuring a safe and productive workplace, by ensuring that all relevant individuals are aware of this Policy and that anyone who declares (pre-testing) a drug, alcohol or substance related addiction or habit is given the necessary support.

### **Policy:**

- MMPL is committed to ensuring that the safety and wellbeing of employees and the quality of MMPL's work, is not compromised by the presence of people under the influence of alcohol or other drugs in the workplace.
- MMPL does not and will not condone:
  - ✓ The use, sale or possession of any illegal / prohibited substance or alcohol at the workplace or a work related event.
  - ✓ The presence of employees affected by alcohol at the workplace or work related event.
  - ✓ The consumption of alcohol at the workplace or at a work related event.

### **Scope / Coverage:**

- This Drug and Alcohol policy and the supporting procedures apply to all employees and maximum term employees. Each employee to whom the Policy applies must make themselves aware of these standards and the conduct required.
- Senior Managers should ensure that this policy and testing regimes are implemented throughout the Organization and that suitable communication of this Policy is provided to all Individuals.



### **Responsibility:**

- Employees are responsible for:
  - ✓ Their behavior and actions at all times.
  - ✓ Understanding and complying with this policy.
  - ✓ Promptly informing their manager if there is a policy breach.
  
- Competent Authority and Managers are responsible for:
  - ✓ Monitoring compliance with this policy by members of their team.
  - ✓ Notifying the Health Safety and Environment team if there is an emerging concern about compliance with this policy.
  - ✓ Ensuring that each member understands the policy.
  
- Line Managers / Supervisors shall:
  - ✓ Understand and be familiar with this Policy and communicate it to relevant individuals under their control.
  - ✓ Monitor work performance, attendance, sickness absence and accidents / incidents and take appropriate action where necessary in line with this Policy;

### **Basic Requirements:**

The essential requirements of the policy are that:

- Employees must always be in a fit state to carry out their duties when at work. They must not possess, consume or be under the influence of alcohol or other impairing substances.
  
- Employees will be prohibited to drive or operate any machinery at work if they are found under the influence of **illegal drugs or alcohol**.
  
- MMPL has a '**zero tolerance**' to drugs and alcohol. Employees are not permitted to work while under the influence of drugs or alcohol.
  
- Anyone suspected of being under the influence of alcohol or drugs, legal or illegal, must immediately be **removed** from the workplace.
  
- MMPL will carry out testing for alcohol and drugs.



- Provide assistance through a range of preventative, educational and rehabilitative measures to overcome drug and alcohol problems that could impair an employee's ability to work safely.
- Encourage our employees to maintain good health and wellbeing through a suitable lifestyle balance.

### **Alcohol and Drug Testing and Disciplinary Process:**

- An employee has a responsibility to take prescription and pharmacy drugs in accordance with the instructions of their medical practitioner and normal directions relating to use of the drugs. In the instance that prescription medication could potentially affect the ability of the employee to perform their normal work duties safely; the employee must notify their immediate supervisor and MMPL so that corrective control strategies can be implemented. Failure to advise may constitute misconduct.
- In the event that drugs or alcohol are found on company premises, actions may include an investigation of the matter to attempt to determine who is responsible for the drugs or alcohol, or requiring workplace participants to undergo a drug or alcohol test. Persons found in possession of or under the influence of these substances will be removed immediately from site and will be subject to **disciplinary action and Police notification**.
- The company will carry out screening for alcohol and drugs. Testing may be carried out on reasonable suspicion or following an accident or incident. The company also reserves the right to carry out random testing where it is considered appropriate. The disciplinary process will be invoked, and may lead to summary dismissal, in the case of any direct employee who:
  - ✓ is removed from a workplace due to impairment or suspicion of impairment caused by substance abuse, drugs or alcohol consumption;
  - ✓ tests positive for illegal drugs;
  - ✓ is found to have a blood alcohol level of 0.00 or more, or the equivalent in breath samples;
  - ✓ refuses to undertake a screening test for alcohol or drugs, or
  - ✓ is found supplying illegal drugs in any company workplace.
- Persons found to be exhibiting the effects of drugs or alcohol may be required to have an appropriate test conducted. If a positive drug and alcohol reading is recorded at any time, the employee will be subject to disciplinary action, possibly including **suspension and / or termination**.



- An employee found to be exhibiting the effects of drugs or alcohol, or returning a positive drug or alcohol reading, or refusing to participate in testing, will be required to cease work immediately and leave the workplace.
- As part of our commitment to maintaining safe work practices, MMPL is unable to allow employees to resume work until such time as they undertake testing and a negative result is obtained.
- Employees sent home or to a medical examination must report to the Organization and the following working day or when they are no longer under the influence of drugs or alcohol to discuss the incident.
- Employees who return a positive result or refuse testing will not be paid for this time off work until a negative drug test is returned.
- If a relevant individual declares that he has been taking medication prior to testing that may cause the positive result, the Relevant Individual will not be suspended from site. If the medication is declared after a positive result, the Relevant Individual will be suspended from site.

#### **Testing and screening regime and classifications:**

- On site testing will generally be by Calibrated Alcometer and urine sample, but this may vary depending on the circumstances. An outside agency will be employed to conduct tests, which will be carried out in controlled conditions.
- Preliminary drug detection results for tests will be confirmed after further laboratory and specialist interpretation. The collection officer will brief those being tested and a representative from Organization will be present at the testing session wherever possible.
- A Relevant Individual will be deemed to have tested positive and therefore failed a drugs test where the detectable level exceeds the internationally recognized pass / fail levels for a banned substance.
- A Relevant Individual who refuses to undertake a test when requested, attempts to tamper with, or avoids any part of the drug and alcohol test procedure will be treated as having received a positive result.
- When drug and alcohol testing is required as part of a third party's requirements, the appropriate standard and process will be complied with and the more stringent testing



limits and regimes will apply.

### **Assistance Provided:**

- The Company will treat any requests for assistance from any employee who volunteers the information that they have a drink or drug related problem sympathetically. A request of this nature will not be accepted subsequent to or immediately prior to testing for alcohol and drugs. During any regime of treatment the individual would remain subject to the requirements of this policy whilst at work.
- To assist in compliance with this policy and the associated procedures, MMPL will be undertaking the following broad activities:
  - ✓ Ongoing employee consultation. MMPL will consult with employees via the Health and Safety Committees and employee representatives.
  - ✓ Ongoing training and education is available to all employees through information sessions, workshops and inductions in the office.
  - ✓ Counseling, assistance and rehabilitation. MMPL firmly believes people should come to work safely and go home safely. Self disclosure of any drug and alcohol issue is encouraged. Employees will not be penalized for self disclosure and will be encouraged to attend rehabilitation programs.

### **Confidentiality:**

- When addressing issues relating to alcohol and drug misuse, all parties should be sensitive to the individual's right to confidentiality, privacy and dignity.
- In the event of any of their employees being found in breach of any of the requirements of this policy they will be permanently excluded from all company workplaces.

### **Interpretation**

**Should any dispute or doubt arise as to the interpretation of these rules, the decision of the Board of Directors will be final.**

### **Changes and Modifications**

**The Company reserves the Right to add / delete / modify any of the above detailed terms and clauses and subsequently the related modifications shall be intimated to the employees.**





**XVIII. Canvassing by non - officials or Other Influence:**

- No employee shall bring or attempt to bring any influence to bear upon any superior authority to further his / her interest in respect of matter pertaining to his / her service under the Company.

**XIX. Gifts:**

- Save as otherwise provided in these Rules, no employee shall accept or permit any member of his / her family or any other person acting on his / her behalf, to accept any gift.
- In any other case an employee of the Company shall not accept or permit any member of his / her family or any other person acting on his / her behalf to accept any gift without the sanction of the Competent Authority if the value thereof exceeds Rs. 1000/-. When such permission could not be taken, he / she will make report to the Competent Authority immediately on receipt, if the value of such gift exceeds Rs. 1000/-.
- An employee shall avoid acceptance of lavish or frequent hospitality from any individual or Firm having official dealings with the Company.

**XX. Misconduct:**

- Without prejudice to the general meaning of the terms of misconduct, the following acts and / or omissions, which are illustrative and not exhaustive, shall be treated as misconduct:
  1. Going on or participating in an illegal strike or abetting in the same.
  2. Wilful slowing down in performance of work or abetment or instigation thereof or fasting with an explicit view to influencing the employer's decisions.
  3. Theft, fraud, breach of trust, or dishonesty by misappropriation of funds in connection with or damage to the Employer's business or property of another employee / officer within the work premises.
  4. Non - observance of safety measures or failure to use safety appliances like helmets, seat belts etc. or interference with safety devices or fire fighting equipments or disobedience of a safety instruction of the superior.



5. Carrying employer's goods, files or office documents to the house / home or any other place outside the work premises without the prior permission of the employer.
6. Unauthorized use of any of the Employer's facility / equipment or any other thing for personal use.
7. Leaking any information relating to official matters to outsiders, as they are confidential.
8. Giving false information regarding one's name, father's name / husband's name, date of birth, qualifications, details of previous salary / service particulars, address and other details at the time of securing employment or thereafter.
9. Habitual late attendance and / or absence without leave and / or regular late attendance or similar omissions of leaving the premises before scheduled time of work.
10. Assaulting, abusing or intimidating any employee or the employer either within the premises or at any other place.
11. Demanding, taking or giving bribes / gifts or any illegal gratification or indulging in any corrupt practice and / or lending or borrowing money to and from subordinate employees.
12. Carrying on directly or indirectly or benami transactions in the office premises:
  - i. Money lending business and / or
  - ii. Other private business without the written permission of the Management or having private financial dealings with persons or firms, etc., having business relations with the Employer for sale and purchase of any materials, equipment's or supply of labor, if any, or for any other purpose.
13. Writing of anonymous or pseudonymous letters criticizing the Employer or any other member of the office staff and making false reports regarding the misconduct of colleagues and superiors or defamatory remarks against the Employer / Management.



14. Holding meetings within the work premises or any other premises owned by the Employer without the permission of the Management.
15. Habitual neglect of work or negligence in work.
16. Refusal to work on a job or a mission or an assignment, which does not call for any additional skill or experience, can be done by the employee / officer without adversely affecting his / her service conditions.
17. Hiding away or attempt to hide away any articles, documents or materials of the Employer.
18. Obtaining or attempting to obtain leave of absence on false pretence.
19. Attempting to obtain any benefit under false pretext or by making false statements.
20. Refusal to act in any position offered by the Management.
21. Failure to report immediately to the next superior of any defect in machinery / equipment or damage to property or any dangerous condition of injury to persons caused accidentally or otherwise in the course of performance or work by an employee / officer or by the employee / officer concerned.
22. Wilful disfigurement, destruction or alteration or forgery of any record / file of the Employer.
23. Bringing or possessing or using alcoholic drinks, charas, bhang, marijuana, within the Employer's premises or reporting for work while under the influence of alcoholic drinks, drugs or narcotics.
24. Refusal to accept a charge sheet, an order or any other communication from the Management either in person by post or through courier.
25. Entering or remaining in the work premises after the permissible / authorized hours of duty without valid reasons.
26. Assumption of authority in matters, which are the prerogative of the Employer.
27. Publication of any article relating to the work of the Employer without obtaining prior written permission of the Employer.



28. Refusal to act on the accepted terms and conditions of service.
29. Handling or attempting to handle any machine, equipment, apparatus or vehicle not entrusted to the charge of the employee.
30. Falsifying or refusing to give testimony when an accident, misconduct or other matters are being investigated.
31. Interfering in the work of other employees and / or the Management.
32. Habitual breach or gross and / or deliberate violation of the service rules and internal regulations.
33. Doing private or personal work within the work premises without the previous permission of the Management.
34. Refusal to work on holidays or on off days when required doing so, refusal to work overtime, in the exigencies of Employer's business or work notwithstanding any statutory provisions.
35. Approaching higher authorities for personal favours or promotions or gains directly or through other people.
36. Abuse of authority, threats, and use of harassment or pressure to obtain illicit favors.
37. Refusing to undergo training as and when required by the Management.
38. It is considered breach of trust if an employee comes to know about the breach of trust done by another staff member, and if this matter is not disclosed immediately to the Management.
39. Any act which is prejudicial or detrimental to the interests of Organization or the Management of the Organization.
40. Breach of confidentiality or a loss of confidence by any act against the interests of Management or Organization.
41. Deliberate disturbance to the proper functioning of the Company.



42. Making statements (in any manner whatsoever) to the press or other media without the prior permission of the Management.
43. Fulfilling a task by other person than the one to whom it has been assigned. In case of absence the employee has no right to bring another person to replace him / her, except with the prior consent / permission of Management representative.
44. Nobody can alter the contents of his / her job description without prior authorization.
45. Any other act of commission or omission, which is against the interest of the Employer or subversive of discipline
46. Any other act which constitutes an offence under any other law / act in force.
47. Striking work or adopting go - slow methods, either singly or along with others in contravention of these service rules or any statute, law, agreement, memorandum of settlement agreed from time to time and for the time being in force.
48. Inciting whilst on the premises of the Employer any employee or employees to strike work or adopt go - slow methods.
49. Collection or conversing or the collection of any money, whatsoever, for purpose not authorized in writing by the Employer within the premises of the Employer.
50. Drunkenness, fighting, riotous, indecent or disorderly behavior or conduct likely to cause breach of peace or conduct endangering the life or safety of any other person.
51. Any act subversive of discipline and efficiency, and any act involving moral turpitude committed within the premises of the Employer or outside if the same has bearing on the services of the employee.
52. Indiscipline or breach of any rules or instructions for the maintenance and or instructions for the running of any department or maintaining its cleanliness.
53. Refusal to give evidence in any enquiry against any other employee charged with any misconduct.



54. Threatening or intimidating any employee within the premises of the Employer or outside concerning matters relating to the employer.
55. Gambling or playing cards, etc., within the premises of the work place.
56. Gossiping within the premises of the office.
57. The sale or canvassing for the sale of any commodity within the premises of the office.
58. Sleeping or dozing whilst on duty.
59. Resorting to picketing, hunger strike against any officer whether within the premises of the Employer or outside in relating to in the matters concerning to the Employer.
60. Absence from place of work without the permission of the departmental head.
61. Habitual indebtedness.
62. Theft of property belonging to other employees inside the premises of the Employer.
63. Misbehaviour during the pendency of disciplinary action instituted against an employee.
64. Interference, tampering with the records, attendance register / attendance punching system etc., either pertaining to himself / herself or to any other employee.
65. Unauthorized removal or defacement of notices of the Employer at the notice board.
66. Wilful non-cooperation with fellow employees for proper discharge of duty at any time.
67. Participation in public discussions debates and deliver speech in public pertaining to the affairs or the business of the establishment without the permission from the competent authority of the Employer
68. Reading magazines, novels and other non - professional literature / material during working hours.



69. Loitering, idling or wasting time during the working hours.
70. Expectorating or otherwise committing nuisance on the premises of the Employer.
71. Any attempt or threat to assault or beating or murder of an employee / officer / manager of the Employer or any other person / persons who has / had any connection with the Organization within or outside the premises of the Employer.
72. Not disclosing / intimating to the Employer any infectious or sexual / skin / any other disease / contagious disease from which the employee is suffering.
73. Habitual production of the Medical certificate for availing leaves.
74. Having immoral relationship with employee of either sex within the premises of the Employer.
75. Eve teasing in the premises of the Employer or transport provided by the Employer, if any.

**Note: The above instances of misconduct are illustrative in nature and not exhaustive.**

#### **XXI. Punishment for Misconduct:**

- If the Employer is convinced that an employee is guilty of committing any misconduct / s, the following punishments may be imposed upon him / her :-
  - i. Suspension without pay for a period not exceeding one month.
  - ii. Demotion
  - iii. Reduction in Wage / Salary
  - iv. Stoppage of increments
  - v. Discharge
  - vi. Dismissal

#### **XXII. Procedure for Disciplinary Action:**

The warning should be written and signed by both the employer / management and the employee, a copy of it will go to the employee's file.



- Where disciplinary proceedings against an employee are proposed to be contemplated by the Employer or are pending or where criminal proceedings against the employees in respect of any offence are under investigation or trial and the Employer is satisfied that it is necessary or desirable to place the employee under suspension, it may, by an order in writing, suspend him / her with effect from such date as may be specified in the order. The Management can ask the suspended employee to come for marking his / her attendance at any time during the working hours.
- An order of punishment including dismissal against an employee will be made only after the employee concerned is informed in writing by a charge - sheet of the alleged misconduct and is given an opportunity to give his / her explanations regarding the alleged misconduct except when the misconduct is admitted in writing by the delinquent employee.
- During a domestic enquiry, the delinquent employee may be allowed to have the assistance of a co-employee working in the establishment, if he / she so desires in writing. However, no outsider will be allowed to assist the delinquent employee / officer in the domestic enquiry. The delinquent employee will be provided with the copy of the complaints / documents. Both parties should give their list of witnesses.
- The charge - sheeted employee will be issued with a charge sheet clearly informing him / her of misconduct alleged against him / her. An explanation will be called for in writing against the charges of misconduct levelled against him / her. In the enquiry, the witnesses in support of the charges of misconduct will be examined by the presenting officer / the Management representative in the first instance. The employee concerned will be given a fair opportunity to cross - examine each of the witnesses on completion of their evidence. The charge - sheeted employee should be allowed to examine his / her witnesses, including himself / herself. The presenting officer / Management representative may cross - examine the delinquent employee and each of his / her witnesses.
- Both the charge - sheeted employee and the Management representative may submit their arguments either orally or in writing before a definite date, on completion of the evidence on both sides. The enquiry officer, on the basis of the documents and evidence on records, should submit a report recording his findings and reasons thereof to the Management
- The Management on receiving the report and findings of the enquiry officer will ask for the employee's representation, if any, against the proceedings and findings of the enquiry officer. Unless demanded by the employee, it will not be obligatory on the part of the Management to furnish the enquiry report to the employee.





- After receiving the representation, if any, of the delinquent employee with regard to the domestic enquiry, the Management on the basis of the entire proceedings, documents, evidence and report of the enquiry officer and also taking into consideration the representation, will appreciate the entire evidence on record and come to its own conclusions as to whether the charges of misconduct alleged against the delinquent employee have been established.
- The employee under suspension, pending enquiry shall report at the employer's office / premises at the time specified in the letter of suspension. The employee under suspension cannot go out of town without the prior written permission of the Employer / Management. The employee also cannot enter the Employer's premises without his consent.
- If on the conclusion of the enquiry or of the criminal proceedings, the employee has been found guilty of any of the charges framed against him / her and it is considered that an order of dismissal or discharge or suspension or fine or stoppage of annual increment or reduction in rank or any alternate measure would meet the ends of justice, the Employer shall pass an order accordingly.
- If on the conclusion of the enquiry or for the criminal proceedings the employee has been found to be not guilty of any of the charges framed against him / her, he / she shall be entitled to the same wages / salary as he / she would have received if he / she had not been placed under suspension.
- In awarding punishment under these rules, the Management shall take into consideration the gravity of misconduct, the previous record, if any, of the employee and any order extenuating or aggravating circumstances that may exist.
- Where an employee has been convicted for a criminal offence involving moral turpitude in a court of Law, the employee can be removed or dismissed for service without following the procedure afore - mentioned.
- A copy of the orders passed by the Management shall be supplied to the employee concerned.

**XXIII. Service Notice from the Employer and Communication Procedure thereof:**

- Any order, notice, charge - sheet or letter issued by the Employer shall be served on the employee in the following manner :-
  - i. By delivering it to the employee by hand. If the employee does not accept such



notice, charge sheet or letter, than one witness must duly attest the fact of refusal, and file the same in the respective individuals' personal file.

- ii. By sending it by registered post at the last address of the employee as per the records of the Employer. If refused, it will be deemed to have been served upon the employee.
- Any notice or communication or intimation to be given to the employee by the employer shall be served personally or by post at the last address available in records of the Employer. If an employee refuses to receive such notice or communication or intimation, or if such notice, communication or intimation sent to the employee concerned by post is returned unserved for any reason, the same may be filed in the respective individuals file maintained by the Employer, in which case it shall be deemed to have been served on the employee / officer concerned.

#### **XXIV. Grievance Redressal Procedure:**

- All grievances/complaints about wages, payments, leaves, transfer, promotion, demotion, seniority, work assignment and reasonable orders, working conditions and interpretation of service agreement, etc., shall be made by the employee directly to the immediate superior.
- All such complaints / grievance will be settled/ responded to as soon as possible, but in any case not later than 20 days from the date of grievance is reported.
- If a grievance arises out of an order by an employer, the said order shall be compiled with before the employee concerned invokes the procedure laid down for redressal of grievance. If, however there is time lag between the issue of order and its compliance, the grievance procedure may immediately be invoked, but the order nevertheless must be compiled within the due date.
- If it is necessary for any employee to leave the office during the working hours on call from the line manager, necessary permission of his superior shall be obtained.
- If, however, there is any complaint against any individual member of the staff who is at the same level as the employee designated to handle the grievance, the employee may take up his grievance with the staff member at the next higher level.



In case of any grievance arising out of disciplinary matter, the above mentioned procedure shall not apply. Instead, the employee shall have the right to appeal to the Management requesting for review or revision of the order within a week from the date of enforcement of order.

### **Interpretation**

**Should any dispute or doubt arise as to the interpretation of these rules, the decision of the Board of Directors will be final.**

### **Changes and Modifications**

**The Company reserves the Right to add / delete / modify any of the above detailed terms and clauses and subsequently the related modifications shall be intimated to the employees.**