



## PPN POWER GENERATING COMPANY PRIVATE LIMITED

### ANTI -SEXUAL HARASSMENT POLICY

#### 1. POLICY

PPN Power Generating Company Private Limited (“PPN”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable under relevant Laws of the country.

#### 2. OBJECTIVE

The Management of PPN recognizes that the offence of Sexual Harassment of employees during the course of employment to be a serious misconduct. It is the duty of the Management and all responsible persons representing the Management to prevent sexual harassment in the workplace and to provide a mechanism for resolution of such complaints and also conduct mandatory training programs for all employees to educate and create awareness on Sexual Harassment. To meet this objective, measures shall be taken to avoid, eliminate, and if necessary impose punishment for any act of sexual harassment, which includes unwelcome sexually determined behavior.

#### 3. SCOPE

The policy extends to the following:

- i) Permanent, temporary, contract employees and trainees
- ii) Staff of third party vendors
- iii) An alleged act(s) of sexual harassment, whether the incident has occurred during or beyond duty hours.
- iv) An alleged act(s) of sexual harassment, whether sexual harassment has taken place within or outside the premises.
- v) It is not applicable when both the alleged harasser and the victim are third parties.

#### 4. DEFINITION OF SEXUAL HARASSMENT

“**Sexual Harassment**” is, any unwelcome sexually determined behavior, such as physical contact and advances; a demand or request for sexual favors: whether verbal, textual, graphic, and electronic or by any other actions. Harassment may be subtle, manipulative and not always evident. It does not refer to occasional compliments of a socially acceptable nature but to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. Offenders can be in any grade/level and also covers non – employees such as customers/clients.

Sexual harassment would mean and include any of the following:

- 4.1. Unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity.
- 4.2. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mail, gestures, showing of



pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance.

- 4.3. Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy.
- 4.4. Physical contact and advances in circumstances which result in a hostile work environment or discrimination or denial of service progression or benefits.
- 4.5. Any obscene gesture by an employee having sexual overtones
- 4.6. Misuse of official position or powers to solicit sexual favors
- 4.7. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- 4.8. Content shown to bring awareness of Sexual Harassment during education/training/seminars/conferences will not be considered as pornography or sexual harassment.
- 4.9. The following are basic definition for references:
  - 4.9.1. Complainant: The person reporting an incident of Sexual Harassment.
  - 4.9.2. Victim: The person subjected to Sexual Harassment.
  - 4.9.3. Alleged Harasser: The person who is alleged/reported to have committed an act of Sexual Harassment.
  - 4.9.4. Committee: A group of members nominated to acknowledge, investigate the complaints received and to provide findings for the same.
  - 4.9.5. Presiding Officer: A female member of the ICC.
  - 4.9.6. Member: Individuals nominated to be a part of ICC.
  - 4.9.7. Management: It include members of the Board of Directors who are responsible for directing and implementing the company's policy.
  - 4.9.8. "Employee" means any person on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.

## 5. INTERNAL COMPLAINT COMMITTEE

Internal Complaint Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment.

The Chairman and Members of the Committee are as follows:

1. Mr. B. Natarajan - General Manager - HR
2. Ms. Iona Vandeerven - Personal Secretary - Projects
3. Ms. Elizabeth Simon - Addl. Sr. Executive - Accounts

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairman, at least two members, one of whom shall be a lady.

## 6. REDRESSAL PROCESS

- 6.1. 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 10 days of occurrence of incident.
- 6.2. 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.
- 6.3. The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.



- 6.4. 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.
- 6.5. 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.
- 6.6. 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.
- 6.7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

## **7. ENQUIRY PROCESS**

- 7.1. The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- 7.2. The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.
- 7.3. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 7.4. If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
- 7.5. If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
- 7.6. The Committee shall call upon all witnesses mentioned by both the parties.
- 7.7. The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- 7.8. The Committee shall complete the “Enquiry” within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the HR department. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- 7.9. The Management will direct appropriate action in accordance with the recommendation proposed by the Committee.
- 7.10. The Committee shall be governed by such rules as may be framed from time to time or any other legislation enacted later on by the appropriate government authorities.

## **8. POWER TO MAKE RULES AND AMENDMENTS**



The power to make rules pertaining to sexual harassment at workplace vests with the Managing Director. Any changes to these rules shall be suitably communicated to all the employees.

## **9. GENERAL CONDITIONS**

- 9.1.** In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- 9.2.** 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.
- 9.3.** If the victim desires, assistance would be provided to the victim to file a complaint with the Police Department.
- 9.4.** The policy prohibits retaliation against any employee who brings an accusation of discrimination of sexual harassment or who assists with the investigation or resolution of sexual harassment.
- 9.5.** Complainants or witnesses will not be victimized or discriminated against while dealing with complaints.
- 9.6.** The aggrieved employee will be able to withdraw the complaint any time from the ICC after stating appropriate reasons for the same.
- 9.7.** Any harassment by a client/customer on an employee or vice versa would be liable for legal proceedings, as per the Laws of the Country.
- 9.8.** As a part of the policy, the aggrieved employee will be given counseling to help them cope with mental trauma arising out of the harassment.
- 9.9.** It is open to the Management to determine and recommend any compensation to the victim in accordance with the applicable law. The recovery and payment of compensation will be as per the Act.
- 9.10.** The ICC shall analyse and put up report on all complaints of this nature at the end of the every year for submission to the Management.
- 9.11.** The Management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.