



यूजेवीएन लिमिटेड

(उत्तराखण्ड सरकार का उपक्रम)

UJVN Limited

(A Govt. of Uttarakhand Enterprise)

कार्यालय अधिशासी निदेशक(मा0सं0), "उज्ज्वल", महारानी बाग, जी0एम0एस0रोड, देहरादून-248006 (उत्तराखण्ड)
Office of the Executive Director(HR), "Ujjwal", Maharani Bagh, G.M.S. Road, Dehradun-248 006 (Uttarakhand)

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संख्या: M-704/यूजेवीएनएल/एचआर/औ0सं0

दिनांक 22-03-2024

कार्यालय ज्ञापन

यूजेवीएन लिमिटेड के निदेशक मण्डल की दिनांक 07-03-2024 को आहूत 118वीं बैठक के एजेण्डा आईटम संख्या 118.19 में प्रदत्त अनुमोदन के क्रम में यूजेवीएन लिमिटेड में कार्यस्थल पर महिलाओं का लैंगिक उत्पीड़न के निवारण, प्रतिषेध एवं प्रतितोष के लिए आन्तरिक नीति "PREVENTION OF SEXUAL HARASSMENT (POSH) AT WORKPLACE POLICY-2024" निम्नवत् प्रख्यापित की जाती है:-

PREVENTION OF SEXUAL HARASSMENT (POSH) AT WORKPLACE POLICY-2024

1. INTRODUCTION:-

In order to provide protection against sexual harassment of women at work-place and for the prevention and redressal of complaints of sexual harassment and for matters connected there with or incidental thereto the "Sexual Harassment of Women at Workplace (Prevention, prohibition and Redressal) Act, 2013" (hereinafter referred to as the Act) duly notified by Ministry of Law and Justice on 23 April 2013 and subsequently "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013" (hereinafter referred to as the Rules'), which were notified vide Ministry of Women and Child Development on 09th December, 2013.

This policy has been framed in accordance with the provisions of the Act and the Rules framed there under. Accordingly, while the policy covers all the key aspects of the Act, for any further clarification and/or in case of conflict between Policy and Act, reference shall always be made to the Act and the provisions of the Act or related rules as amended from time to time shall prevail over the Policy.

2. PURPOSE:-

As laid down under the "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Rules, 2013", each employer should be committed to provide to all its employees equal opportunity and a harassment free workplace, notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability as the case may be. Thus in order to create such a safe and conducive work environment, especially for women employees, the Prevention of Sexual Harassment (POSH) Policy is being framed, in line with the provisions of the prevailing Act and Rules. The main objective of the policy is to provide its women employees, a workplace, free from harassment /discrimination and to treat them with dignity and respect. Further, it also emphasizes on Prevention, Prohibition and Redressal of complaints of sexual harassment and matters related to it. B

3. SCOPE:-

This policy applies to all categories of employees working at UJVN Limited. (at Headquarters, all Power Houses, Project Sites and other related offices), including permanent and temporary employees, Contractors, Contractual / outsourced employees either directly or through the contractor/agent or individual coming to the workplace for any purpose.

4. DEFINITIONS:-

- i. **Act :** Means Sexual Harassment of Women at Workplace (Prevention, prohibition and Redressal) Act, 2013
- ii. **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.
- iii. **Complaint Committee:** Means the Internal Committee(IC)/Internal Complaint Committee (ICC) constituted at Headquarters or at any other office of UJVN Limited.
- iv. **Employee :** Means a person employed at a 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 principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- v. **Employer:** Means the Appointing Authority or Managing Director, UJVN Limited as the case may be.
- vi. **Member:** Means a Member of the Internal Committee (IC)/ Internal Complaint Committee (ICC).
- vii. **Nigam:** Means UJVN Limited (earlier known as Uttaranchal Jal Vidyut Nigam Ltd. thereafter Uttarakhand Jal Vidyut Nigam Ltd.) formed by Government of Uttarakhand vide its office memorandum No.79, Dated 12-01-2001 and incorporated under relevant provisions of Companies Act-1956 with its statutory modifications / amendments etc. vide incorporation certificate Dated 12-02-2001;
- viii. **Presiding officer:** Means the Presiding Officer of the Internal Committee (IC) / Internal Complaint Committee (ICC).
- ix. **Respondent:** Means a person against whom, the aggrieved woman has made a complaint.

x. **Rule:** Means Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.°

xi. **Sexual harassment:** Includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-

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

In addition, the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment: -

- (i) implied or explicit promise of preferential treatment in her employment; or
- (ii) implied or explicit threat of detrimental treatment in her employment; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

xii. **Workplace:** Means all offices & premises of UJVN Limited (Headquarters, all Power Houses, Project Sites and other related offices). In addition, 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 UJVN Limited including transportation provided for undertaking such a journey.

5. **INTERNAL COMMITTEE (IC)/INTERNAL COMPLAINTS COMMITTEE (ICC):-**

To prevent instances of sexual harassment and to receive and effectively deals with complaints pertaining to such cases, "Internal Committee(IC)/Internal Complaint Committee (ICC)" shall be constituted (by an order in writing) at Headquarters, all Power Houses, Project Sites and other related offices. One IC/ ICC may be constituted for two or more Power Houses, Project Sites and other related offices.



- a. The Internal Committee (IC)/Internal Complaint Committee (ICC) shall consist of the following members to be nominated by the Managing Director UJVN Limited. at Headquarters and General Manager concerned at Power Houses, Project Sites and other related offices:
- (i) A **Presiding Officer** who shall be a woman employed at a senior level at workplace from amongst the employees;
 - (ii) Not less than **two members** from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
 - (iii) **One member** from amongst **non-governmental organizations** or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
The Member appointed from amongst non-government organisations shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less. These facilities & allowance can be provided by UJVN Limited beyond these limits in better directions if so decided.
 - (iv) The Presiding Officer and every member of the Internal Committee (IC) shall hold the office for such period, not exceeding three years, from the date of their nomination;
 - (v) At least one half of the total members so nominated shall be women.
- b. The IC/ICC is responsible for:-
- (i) Receiving complaints of sexual harassment at the workplace;
 - (ii) Initiating and conducting inquiry as per the established procedure;
 - (iii) Submitting reports of its finding and recommendations;
 - (iv) Follow up with the employer in implementing appropriate action;
 - (v) Maintaining strict confidentiality throughout the process as per established guidelines; and
 - (vi) Submitting annual report in the prescribed format.

6. **Complaint of Sexual Harassment:-**

- (i) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee, shall render all reasonable assistance to the woman for making the complaint in writing.

Provided further that the Internal committee for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

- (ii) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person may make a complaint as prescribed under sec 6 of the Rule.

7. Conciliation:-

- (i) The Internal Committee before initiating an inquiry under section 11 of the Act and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation:

Provided that no monetary settlement shall be made as a basis of conciliation.

- (ii) Where a settlement has been arrived at under sub-section (1), the Internal Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.
- (iii) The Internal Committee shall provide the copies of the settlement as recorded under sub-section (2) to the aggrieved woman and the respondent.
- (iv) Where a settlement is arrived at under sub-section (1), no further inquiry shall be conducted by the Internal Committee.

8. Conducting Inquiry :-

Subject to the provisions of Section 10 of the Act the Internal Committee shall, where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent.

The committee shall an inquiry into the complaint within a period of one week of its receipt of the original complaint.

9. Manner of inquiry into Complaint:-

- (i) Subject to the provisions of section 11 of Act at the time of filing the complaint, the complainant shall submit to the Complaints Committee, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.
- (ii) On receipt of the complaint, the Complaints Committee shall send one of the copies received from the aggrieved woman under sub-rule (1) to the respondent within a period of seven working days.
- (iii) The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents specified under sub-rule (1).

- (iv) The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.
- (v) The Complaints Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer.
Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.
- (vi) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.
- (vii) In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer shall be present.

10. Interim relief during pendency of the Inquiry :-

During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee may recommend to the employer to –

- (i) Transfer the aggrieved woman or the respondent to any other workplace, or
- (ii) Grant leave to the aggrieved woman up to a period of three months, or
- (iii) Grant such other relief to the aggrieved woman as may be prescribed.

11. Inquiry Report :-

On the completion of an inquiry under this Act, the Internal Committee shall provide a report of its findings to the employer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

12. Action for false or malicious complaint or false evidence :-

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

13. Appeal :-

Any person aggrieved from the recommendations made by IC/ICC or non-implementation of such recommendation may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person. The appeal shall be preferred within a period of ninety days of the recommendations.

14. Annual Report:-

The IC/ICC shall in each calendar year prepare an annual report, giving the following details and submit the same within the prescribed time to the competent authority as specified in the "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 as amended from time to time:


- (a) Number of complaints of sexual harassment received in the year.
- (b) Number of complaints disposed off during the year.
- (c) Number of cases pending for more than 90 days.
- (d) Number of workshops or awareness programme against sexual harassment carried out
- (e) Nature of action taken by the employer.

निदेशक मण्डल की आज्ञा से

पत्रांक: M-704/यूजेवीएनएल/एचआर/औ0सं0 तददिनांक: 22/03/2024

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. निजी सचिव, अध्यक्ष, यूजेवीएन लिमिटेड, देहरादून।
2. निजी सचिव, प्रबन्ध निदेशक, यूजेवीएन लिमिटेड, देहरादून।
3. समस्त निदेशक/अधिकासी निदेशक, यूजेवीएन लिमिटेड, देहरादून।
4. समस्त महाप्रबन्धक/वरिष्ठ विधि अधिकारी (महाप्रबन्धक स्तर), यूजेवीएन लि0, देहरादून।
5. उपमहाप्रबन्धक (आई0टी0), यूजेवीएन लिमिटेड, देहरादून को निगम की वेबसाईट पर अपलोड करने हेतु।
6. समस्त उपमहाप्रबन्धक, यूजेवीएन लिमिटेड, देहरादून।
7. कम्पनी सचिव, यूजेवीएन लिमिटेड, देहरादून।
8. मानव संसाधन विभाग के समस्त अनुभाग/अधिकारी।


(राजेन्द्र सिंह) 22/03/24
अधिकासी निदेशक (मा0सं0)