

ORIANA POWER LIMITED

CIN: L35990DL2013PLC248685

POLICY ON PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT

ORIANA POWER LIMITED (Formerly Known as Oriana Power Private Limited)

CIN: L35990DL2013PLC248685, **Website:** www.orianapower.com, **Tel:** +91-120-411-4695

Registered Office: Flat No. 412A, Building No. 43, Chiranjiv Tower, Nehru Place, New Delhi, South Delhi-110019.

Corporate Office: First Floor, C-103, Sector 2, Noida, Gautam Buddha Nagar, Uttar Pradesh-201301.

INTRODUCTION

Oriana Power Limited (hereinafter referred to as “Oriana”) has with the objective of providing a mechanism for ensuring compliance with the “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and (“POSH Act”) and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (“POSH Rules”), Oriana has framed and adopted this Policy on Prevention, Prohibition and Redressal of Sexual Harassment (hereinafter referred to as the “Policy”).

OBJECTIVE

Oriana is an equal employment opportunity company that aims to create a professional, healthy, and harmonious working environment without prejudice or gender bias. It believes in treating all employees with dignity and respect, and sexual harassment is a grave offense. Oriana expects employees to uphold the highest standards of ethical, moral, and legal conduct, including treating each other with dignity, following the law, and refraining from creating a hostile atmosphere.

SCOPE AND APPLICABILITY

- 1) The Policy shall apply to all Employees of Oriana
- 2) The Policy shall apply to all allegations of Sexual Harassment made by any Employee against the Respondent, occurring at the Workplace. The Company will take all steps necessary and reasonable steps to assist the Aggrieved Person in terms of support and preventive action under the Policy.

DEFINITION OF SEXUAL HARASSMENT

"Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):

- (a) Physical contact and advances; or
- (b) A demand or request for sexual favors; or
- (c) Making sexually colored remarks; or
- (d) Showing pornography; or
- (e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

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Any of the following circumstances, if it occurs in relation to or connected with the act or behavior of Sexual Harassment may amount to sexual harassment: -

Various potential threats to employees including the promise of preferential treatment, the threat of detrimental treatment, the threat of future employment status, interference with work, creating an intimidating environment, or humiliating treatment affecting health or safety.

Examples of Sexual harassment include but is not limited to the following:

Sexual harassment can involve physical contact, advances, displays of sexually connotated objects, verbal or non-verbal communication that offends individuals' sensibilities, teasing, voyeurism, innuendos, taunts, physical confinement, unsavory remarks, gender-based insults, and physical confinement against one's will. Examples include touching, stalking, molestation, display of sexually connotated pictures or signs, teasing, voyeurism, innuendos, taunts, pet names, gender-based insults, and physical confinement.

An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this Policy.

DEFINITIONS:

Except where the context otherwise requires, the following words and expressions shall have the following meanings:

- (a) "Aggrieved person" means a person of any age, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.
- (b) "Oriana" or "Company" means Oriana Power Limited.
- (c) "Complaint" means information, either oral or written, made by the Aggrieved person/ Complainant. However, complaint made orally must be reduced in writing by the Complainant with the assistance of the Internal Committee members.
- (d) "Employee" for the purpose of this Policy, means and includes any person hired by the Company, whether as a consultant or as an employee on the rolls of the Company who is employed for any work on regular, temporary, ad-hoc or daily wage basis, directly or through an agent, including a contractor, with or, without the knowledge of the Company's management, whether for remuneration or not, or working on voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice, article clerk or called by any other such name.
- (e) "Internal Committee or IC" means a committee constituted for redressal of Complaints by the Aggrieved Person and make recommendations for resolution to the Management Team.

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(f) “Employer”/ “Management Team” shall mean the person/s vested with the powers to take appropriate action for implementing the decision of the Internal Committee and shall consist of such officers as designated by the Company from time to time.

(g) “Respondent” means a person against whom the Aggrieved Person has made a Complaint.

(h) “Third Party” means any person or persons not on the rolls of the Company but, in the course of work-related activities, interacting with the Company.

(i) “Workplace” shall mean any place(s) where the Aggrieved Person is employed or works, or visits in connection with official duties during the course of or arising out of the Aggrieved Person’s employment and includes transportation provided by the Company for undertaking such journey.

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE AND REPORTING:

Sexual harassment at work is prohibited. If an employee is harassed, they must inform the respondent that the behavior is unacceptable and request the respondent to stop it.

They must also keep a record of incidents, including dates, times, locations, witnesses, and the aggrieved person's response.

This record can strengthen the case and help the aggrieved person remember details over time. The employee must file a complaint to the Internal Committee within three months of the alleged act of sexual harassment, or the last incident in a series, if the circumstances prevented filing within the three-month period.

The Internal Committee may extend the time limit if circumstances prevented the employee from filing.

INTERNAL COMMITTEE:

Oriana shall constitute an Internal Committee in terms of the POSH Act, which would deal with all formal complaints and allegations of Sexual Harassment (the “IC”).

Specific responsibilities that have been set forth under the POSH Act, the IC shall have the following general responsibilities:

(i) Implementation of this Policy.

(ii) Conducting inquiries in accordance with the procedures set out below applying the principles of natural justice and ensuring compliance with the Policy in all actions taken under, or in connection with, this Policy;

(iii) Organizing workshops or interactive programs to spread awareness of the issue of sexual harassment as well as this Policy amongst the employees of Company; and

(iv) Keeping a record of all complaints received and the actions taken by the IC and the Company thereon.

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Decisions

The decision of the IC on any complaint received under the POSH Policy shall be made by majority vote of its members.

COMPLAINT MECHANISM:

The Sexual Harassment at Workplace (POSH) Policy allows an Aggrieved Person to file a complaint in writing to the Internal Committee (IC) using the format prescribed in Annexure A. If the Aggrieved Person cannot make the complaint in writing, they can seek assistance from the Presiding officer or IC member.

If the complaint has been raised to any other person in the Organization, it should be forwarded to the IC for proper action.

The decision on a complaint received under the POSH Policy will be made by a majority vote of its members.

The complaint must contain all relevant details about the alleged sexual harassment, including the names of the Respondent(s) and the Aggrieved Person, witnesses, evidence, and supporting documents.

Anonymous complaints are not allowed under the Act. If the Aggrieved Person cannot make a complaint due to physical incapacity, they can file with a relative, friend, or coworker.

If the Aggrieved Person cannot make a complaint due to mental incapacity, they can file with a special educator, qualified psychiatrist, guardian, or joint knowledge of the incident. If the Aggrieved Person dies, they can file with the written consent of their legal heir.

INQUIRY INTO COMPLAINT:**Manner of Inquiry**

The Internal Committee must receive a complaint within seven working days and send it to the Respondent within ten working days. The Committee will investigate the complaint in accordance with the Respondent's service rules and natural justice principles. The parties cannot engage legal practitioners in the proceedings.

The Committee has the same powers as a civil court, including summoning and enforcing attendance, requiring document discovery, and other matters. The inquiry must be completed within 90 days.

Actions during pendency of Enquiry:

During an inquiry, the Internal Committee may recommend actions to the Management Team, such as transferring the Aggrieved Person to another workplace, granting leave, or restraining the Respondent from reporting on the Aggrieved Person's work performance.

The Committee may also issue interim orders to ensure safety. The Employer must implement these recommendations and report back to the Committee.

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Termination of Inquiry Proceedings / Ex parte Decision:

(a) The Internal Committee shall have the right to terminate the inquiry proceedings or give an ex parte decision on the Complaint, if the Complainant or Respondent fails, without sufficient cause, to present themselves for three consecutive hearings convened by the Presiding Officer of the Internal Committee. Provided such termination or ex parte order shall not be passed unless a fifteen days prior written notice has been given to the party concerned.

Inquiry Report:

The Internal Committee (IC) will provide a report of its findings to the Employer/Management Team within ten days of the inquiry's completion. If the allegation against the Respondent is not proven, the IC will recommend no action. If the allegation is proven, the IC may recommend appropriate action, such as declaring the act as "misconduct" under the applicable service rules or withholding promotion, pay rise, termination, counseling sessions, or community service.

The IC may also deduct compensation from the Respondent's salary, considering factors such as mental trauma, career loss, medical expenses, income, and feasibility. If the Respondent is absent or cessation of employment, the IC will direct the Respondent to pay the amount directly to the Aggrieved Person.

The IC will also recommend steps to assist the Aggrieved Person in support and preventive action. If the complaint is frivolous, false, or malicious, the IC will recommend disciplinary action. The Employer/Management Team must implement the IC's recommendations within 60 days.

CONFIDENTIALITY:

Informal reviews and investigations will maintain full confidentiality of employee personnel records, with disciplinary action for revealing information without authorization. Complaints will be shared on a "need to know" basis, with strict confidentiality maintained by the aggrieved person, respondent, witnesses, IC, and employer/management team.

PROTECTION AGAINST RETALIATION:

Regardless of the outcome of the Complaint made in good faith, the Aggrieved Person lodging the Complaint and any person providing information or any witness, will be protected from any form of retaliation.

AMENDMENT OF THE POLICY

The Policy is subject to modifications and amendments from time to time in accordance with applicable laws in India.

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