

BYPL'S EQUAL OPPORTUNITY POLICY FOR PERSON WITH DISABILITY

(THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

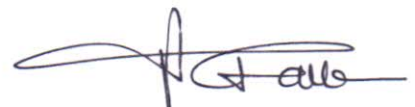
**READ WITH
THE RIGHTS OF PERSONS WITH DISABILITIES RULES, 2017
&
THE DELHI RIGHTS OF PERSONS WITH DISABILITIES RULES, 2018**

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1. PREFACE

Equal Opportunity Policy (“**the Policy**”) for Persons with Disabilities is formulated in light of the provisions laid down under The Rights of Persons with Disabilities Act, 2016 (“**the Act**”) read with The Rights of Persons with Disabilities Rules, 2017 and The Delhi Rights of Persons with Disabilities Rules, 2018 notified on June 15, 2017 and December 27, 2018 respectively (“**the Rules**”) framed and adopted by Government of National Capital Territory of Delhi (“**GoNCTD**”) with a view to provide equality of opportunity for persons with disabilities.

BSES Yamuna Power Limited (“**BYPL**” or “**the Company**”), A joint venture of Reliance Infrastructure Limited and Government of Delhi, plays an important role in extending support towards full and effective participation of persons with disabilities and their inclusion in the society with due respect and dignity. BYPL is committed to protect the legitimate rights of Persons with Disabilities.

2. SCOPE & APPLICABILITY

The Policy is in accordance with the provisions of the Act and the Rules made there-under. At BYPL, we commit to conform to the letter and the spirit of the Act.

The Act and the Rules are applicable on Government and Private establishment situated at NCT of Delhi. The Private Establishment means a Company, Firm, Cooperative or Other Society, Associations, Trust, Agency, Institution, Organisation, Union, Factory or such other establishment as the appropriate Government may, by notification, specify. Accordingly, the Act and the Rules are applicable on BYPL, being an establishment registered in NCT of Delhi.

The Company is covered under following definitions of the Act as follows:

- i. “**Establishment**” includes a Government establishment and private establishment;
- ii. “**Private Establishment**” means a company, firm, cooperative or other society, associations, trust, agency, institution, organisation, union, factory or such other establishment as the appropriate Government may, by notification, specify;
- iii. “**Public Building**” means a Government or private building, **used or accessed by the public at large**, including a building used for educational or vocational purposes, **workplace**, commercial activities, **public utilities**, religious, cultural, leisure or recreational activities, medical or health services, law enforcement agencies, reformatories or judicial foras, railway stations or platforms, roadways bus stands or terminus, airports or waterways;
- iv. “**Public Facilities and Services**” includes **all forms of delivery of services to the public at large**, including housing, educational and vocational trainings, employment and career advancement, shopping or marketing, religious, cultural, leisure or recreational, medical, health and rehabilitation, banking, finance and



insurance, communication, postal and information, access to justice, **public utilities**, transportation;

The policy covers all persons with disabilities. They could be job applicants, full time/part time employees, interns/trainees, contractual employees, including temporary employees and Customers & Visitors. It also covers those employees entering in the organization and/or already working in the Company, including those employees who acquire disability during the course of employment.

The policy also applies to all aspects of employment, be it recruitment, training, promotion, working conditions, salaries, transfers, employee benefits and career advancement etc.

BYPL is committed to providing equality of access to employment, advancement and retention in the Organization, recognizing that it is in the Organization's interest to recruit and maintain a diverse and skilled work force that is representative of the diverse nature of society, which includes persons with disabilities. Through the policy, BYPL is committed to ensure that the Company shall:

- ✓ Comply with the provisions of the Act and the Rules.
- ✓ Ensure equal opportunity in all aspects of employment.
- ✓ Create and maintain a non-discriminatory and inclusive work environment which ensures a robust career growth path for people with disabilities and for those who acquire disability during their employment with the Company.

3. OBJECTIVE OF THE POLICY

The Equal Opportunity Policy on the Rights of Persons with Disability attempts to address various themes with the ultimate goal of not only improving the quality of life of person with disability, but also to promote and safeguard equality, self-determination, dignity and social inclusion of persons with disability. Preventive measures should be in place to ensure that person with disability is not subjected to any form of unfair treatment or discrimination. The basic objective of the policy is:

- i) To provide fair and impartial opportunities for persons with disabilities in the recruitment process of BYPL.
- ii) To provide a helpful and a barrier-free working environment to the persons with disabilities in BYPL.
- iii) To protect and safeguard the rights and interests of persons with disabilities and that no opportunity is denied to persons with disabilities merely on ground of disability.
- iv) To eliminate all forms of unlawful discrimination (which includes direct discrimination, indirect discrimination, bullying and harassment of people with disabilities).
- v) To provide all employees with the opportunity to develop professional learning, understanding, and positive attitudes about disability in the workplace.



4. DEFINITIONS

In the policy, unless the context otherwise requires, -

- (a) "**person with disability**" means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;
- (b) "**person with benchmark disability**" means a person with not less than forty per cent. of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority;
- (c) "**person with disability having high support needs**" means a person with benchmark disability certified under clause (a) of sub-section (2) of section 58 of the Act who needs high support;
- (d) "**high support**" means an intensive support, physical, psychological and otherwise, which may be required by a person with benchmark disability for daily activities, to take independent and informed decision to access facilities and participating in all areas of life including education, employment, family and community life and treatment and therapy;
- (e) "**discrimination**" means in relation to disability, means any distinction, exclusion, restriction on the basis of disability which is the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination and denial of reasonable accommodation;
- (f) "**specified disability**" means the disabilities as specified in the Schedule of the Act.

Words and expressions used in the policy and not defined shall have the meanings respectively assigned to them in the Act and the Rules.

The Specified disability as defined in the schedule of the Act is annexed with the policy as "**Annexure 1**".

5. FACILITIES AND AMENITIES

a) Physical Infrastructure

BYPL aims to ensure that its physical infrastructure (buildings, furniture, facilities and services in the building/campus and transportation) adheres to the accessibility standards as prescribed by the Government of India.

BYPL also aims to revamp its existing buildings by **December 26, 2020** to ensure the strict compliance with the Act and the Rules.



Any new facility that is built or renovated or leased or rented will be evaluated for compliance with accessibility standards at different stages of the building construction. Any employee facing accessibility issues should report to the Administration team at their location or write to the Liaison Officer.

b) Digital Infrastructure

BYPL's shall endeavor to ensure that all our documents, communication and information technology systems adhere to the accessibility standards as may be prescribed under the Act and the Rules. The Company will ensure that only accessible technologies are procured. Any employee facing accessibility challenges can reach out to the local IT support team or write to Liaison Officer.

c) Reasonable Accommodation

Reasonable accommodation means necessary and appropriate measures to enable persons with disabilities to have access to, participate and advance in employment and to undergo training or other career development opportunities, on an equal basis with others.

BYPL will make reasonable accommodations, whenever necessary, for qualified employees or job applicants who have disabilities, as per the Act. Such accommodation would be provided:

- i) to ensure equal opportunity in the application and selection process,
- ii) to enable an employee with a disability to perform the essential functions of a job, and
- iii) to enable an employee with a disability to enjoy the same benefits and privileges of employment as non-disabled employees.

It is incumbent upon the person with a disability to inform the Organization of the need for reasonable accommodation, particularly where the need for such accommodation may not be readily apparent. The nature and extent of the accommodation required should be determined by the particular needs of that individual based on a recommendation by Health and Medical Service, taking into account the needs of the Organization.

6. LIST OF POSITIONS IDENTIFIED

In BYPL, suitable posts will be identified which can be offered to the persons with disability in line with the Company's internal policy and procedures. The hiring is purely based on merit and the candidates are evaluated on the basis of their skills and competence. Flexibility and accommodations will be provided to persons with disabilities on case to case basis



7. MANNER OF SELECTION

a) Vacancy advertisement and application

- i. Wherever possible, all vacancies will be advertised internally and externally.
- ii. Wherever possible, vacancies will be notified to colleges, polytechnics and disability organizations.
- iii. All vacancy advertisements will include an appropriate short statement on equal opportunities for people with disabilities.
- iv. Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are non-discriminatory and that they relate purely to the skills needed for the job and nothing else.
- v. Application forms will be made available in alternate formats, based on request.

b) Selection Process

The recruitment process in BYPL is governed by the recruitment rules of the Company. For persons with disabilities, relaxation and concession will be provided in the selection process as per the company guidelines. The selection procedures shall include the following measures:

- i. The criteria of selection may be relaxed for people with disabilities on case to case basis as per our reasonable accommodation. All reasonable efforts will be made by the Company to comply with relaxation request.
- ii. Each interviewer is mandated to record her/his comments on the candidate's capability in the Interview Evaluation Form. Reasons for rejection must be objective and not related to the person's disability.
- iii. Wherever possible, more than one person must be involved in the selection interview and recruitment process, and all should have received appropriate training on the topic of equal opportunities for people with disabilities.
- iv. The relaxation in age limit shall be made applicable irrespective of the fact whether the post is reserved or not, provided the post is identified suitable for persons with disabilities.
- v. Further, during the selection process, user friendly facilities, like open and adjusted seating, wheel chair arrangement, minimal use of stairs, provision of holding exam on ground floor, provision of Scribe for written test and compensatory time for answering paper shall be provided.



8. OTHER FACILITIES

BYPL, as a model employer, is committed to safeguard the interests of persons with disabilities. The Company aims at extending a user friendly and barrier-free accessibility of work environment to all persons with disabilities employees. Necessary assistance will be provided to the persons with disabilities depending upon their nature and percentage of disability.

a) Post Recruitment Training and Pre-Promotion Training

BYPL will endeavour to provide course materials meant for induction and training in accessible formats on request. The request for reasonable accommodation, such as assistive aids, accessible training venue, accessible materials, interpreter, scribe, etc. should be placed on request at least one week prior to the scheduled date of commencement of induction/training.

After the candidate joins in any post, an orientation program is arranged for all the inductees including employees with disabilities with a view to create a sense of awareness and familiarity about the Company. It will also help the new joinee to get a better understanding of the working of different departments.

Further, a pre-promotion training programme shall also be arranged for filling up of all the posts through internal competition. The pre-examination training will be provided by the internal trainers at accessible office premises which will ensure easy accessibility to the employees leading to effective learning & development.

b) Preference in Transfers and Postings

BYPL operates through 14 Divisions across East Delhi and Central Delhi spread across 200 sq. km. of area. However, considering the nature of disability and manpower requirement of the company, the requests of persons with disabilities in internal transfers and postings shall be duly considered so as to enable them to effectively discharge their duties.

c) Disability Leave

The Employees with disability shall be covered as per the leave policy of the Company.

d) Preference in allotment of residential accommodation

BYPL provides residential accommodation to its employees and wherever possible, preference in allotment of appropriate residential accommodation shall be given to the employees with disability.

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e) Travel, Stay and Transport

For official travel, employees with disabilities will be provided accessible modes of transport - air travel (in case road/train travel is inaccessible), and accessible guest houses and hotels and allowing a personal attendant to travel along, as per our reasonable accommodation guidelines. An employee can place a written/email request for this with the Liason Officer.

f) Meetings, Conferences, Workshops and Seminars

BYPL take all reasonable measures to ensure that persons with disabilities are able to participate fully in meetings, conferences, workshops, seminars and other events. Presentation aids or other media should, as far as practicable, be accessible to people with physical and sensory disabilities, and relevant materials should be available in accessible formats.

BYPL will endeavour to make all company events and meetings inclusive by ensuring that these are conducted at accessible venues with a provision of reasonable accommodation being available to employees with disabilities.

g) Working environment

BYPL takes reasonable measures to ensure that employees with disabilities are:

- ✓ allocated office accommodations compatible with their particular needs, including the provision of designated accessible entrances and exits to the buildings and designated parking, as well as provision of accessible restrooms;
- ✓ able to access food services, mail and messenger services, travel and bank services and other facilities on BYPL premises, as well as to note relevant display areas and obtain assistance, as required.

h) Office environment

The Company take steps to ensure that the office environment is suited to the employees with disabilities. Where appropriate, an occupational assessment of the workplace will be carried out when:

- i) A newly recruited employee with a disability commences employment;
- ii) An employee becomes disable during his/her employment with the Organization;
- iii) An employee with disability moves to a different office requires a significant change in the office environment - for example, a move from headquarters to a field office.

The employees with disability shall have access to information technology tools, including the Intranet, Extranet and Internet (if-required), applications, databases and



event information displays. Wherever possible, and based on demand, these tools will be made available in accessible formats.

In this regard, employees with disabilities shall be consulted concerning special equipment or furniture that may be necessary to enable them to perform the essential functions of their job, including effective access to information technology tools.

i) Flexible work arrangements and organization of work

Where appropriate, flexible working arrangements may be agreed upon by the supervisor and employee with disability concerned, drawing upon the Company's work-life policies, with the objective of meeting BYPL's work exigencies and the staff member's particular needs.

9. PROVISION FOR ASSISTIVE DEVICES AND BARRIER- FREE ACCESSIBILITY

During the selection process, user friendly facilities will be provided like open and adjusted seating facility, minimal use of stairs, provision of holding exam on ground floor, provision of Scribe for written test and compensatory time for answering paper.

Further, all newly built facility will be evaluated for compliance as per the accessibility standards so as to facilitate barrier-free movement of the persons with disabilities. Ramps, accessible toilets and other facilities to be provided wherever necessary

10. LIAISON OFFICER

Ms. Anjali Lakra, GM HR will act as Liaison Officer vide office order to oversee the recruitment of persons with disabilities and provisions of facilities and amenities for such employees with disability. Her e-mail i.d is anjali.lakra@relianceada.com. The Liaison Officer shall be deputed for training on disability, equality and etiquettes for efficient discharge of duties.

11. GRIEVANCE REDRESSAL

BYPL will seriously view any acts of discriminatory conduct committed by an employee (which includes harassment, vilification and victimization). It constitutes a disciplinary offence in respect of which you may, in appropriate circumstances, be dismissed.

Employees with disability have the right to file a complaint concerning any discrimination with the Liaison Officer who then reports to the Head Human Resources and the Chief Executive Officer of the Company.

Any policy violation i.e. when any person with disability is discriminated against or not provided reasonable accommodation or denied access to any company facility will be regarded as a grievance.



12. RESPONSIBILITY

- a) All BYPL employees shall comply with the policy and all applicable laws and regulations. Compliance is required whenever an employee is acting in their capacity as a representative of the Company.
- b) All the Managers and supervisors shall take reasonable steps to resolve complaints that are brought to their attention and to maintain confidentiality as far as practicable.
- c) All the Human Resources representatives shall provide advice and address grievances relating to the employment of persons with disabilities and/or any other complaints regarding discrimination in any of the form against any job applicant/employee

13. CONTINUOUS EFFORTS

a) **Dissemination of information and learning**

The Company shall undertake periodic information dissemination across the Organization to ensure understanding of the policy, as well as awareness raising and learning activities and complementary communication strategies.

b) **Monitoring and implementation**

BYPL will collect annual statistics pertaining to the new and serving employees make their disabilities known to the Human Resources Department.

BYPL will conduct periodic reviews of the effectiveness of the measures undertaken pursuant to the policy and take steps to improve the effectiveness of such measures, as necessary. Questions relevant to policy implementation will be added to employee surveys for this purpose.

BYPL stresses that, while it remains firmly committed to the principle of equal access to employment opportunities for persons with disabilities, it may not be in a position to immediately remove all barriers to fully implement the policy. Nevertheless, BYPL undertakes to continue to move forward to implement progressively all of the provisions of the policy.

c) **Confidentiality of information**

In accordance with medical and other norms of confidentiality, the Company will respect the confidentiality of any information provided by a staff member or job applicant relating to his/her disability.

14. COMMUNICATION OF POLICY

Policy will be available on intranet & HR Department to all the employees and shall be displayed at conspicuous place of the premises.



The Head of the establishment shall ensure that no person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

The Head-HR takes a lead in implementing the programme and is responsible for planning, monitoring and reviewing the programme's progress to ensure compliance with the policy.

15. INTERPRETATION & GUIDANCE

In the event that any additional guidance and/or further interpretation is required, please contact to Liaison Officer and HR Department.

16. EFFECTIVE DATE

The policy is approved by the Chief Executive Officer and Head HR and is effective from 26th June 2019.

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THE SCHEDULE
[See clause (zc) of section 2 of the Act]
SPECIFIED DISABILITY

1. Physical disability.—

A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including—

(a) "**Leprosy cured person**" means a person who has been cured of leprosy but is suffering from-

(i) Loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;

(ii) Manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;

(iii) extreme physical deformity as well as advanced age which prevents him/her from undertaking any gainful occupation, and the expression "leprosy cured" shall construed accordingly;

(b) "**cerebral palsy**" means a Group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;

(c) "**Dwarfism**" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;

(d) "**Muscular dystrophy**" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterized by progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissue;

(e) "**acid attack victims**" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment-

(a) "**Blindness**" means a condition where a person has any of the following conditions, after best correction-

(i) Total absence of sight; or



(ii) Visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction; or

(iii) Limitation of the field of vision subtending an angle of less than 10 degree.

(b) "**low-vision**" means a condition where a person has any of the following conditions, namely:-

(i) Visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 or upto 10/200 (Snellen) in the better eye with best possible corrections; or

(ii) Limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.

C. Hearing impairment—

(a) "**deaf**" means persons having 70 DB hearing loss in speech frequencies in both ears;

(b) "**hard of hearing**" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears;

D. "**speech and language disability**" means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.

2. Intellectual disability, a condition characterized by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior which covers a range of every day, social and practical skills, including-

(a) "**specific learning disabilities**" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;

(b) "**autism spectrum disorder**" means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviors.

3. Mental behaviour,-

"**Mental illness**" means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behavior, capacity to recognize reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterized by sub normality of intelligence.



4. Disability caused due to-

(a) Chronic neurological conditions, such as—

(i) "**Multiple sclerosis**" means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelization and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;

(ii) "**Parkinson's disease**" means a progressive disease of the nervous system marked by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.

(b) Blood disorder—

(i) "**hemophilia**" means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterized by loss or impairment of the normal clotting ability of blood so that a minor wound may result in fatal bleeding;

(ii) "**thalassemia**" means a group of inherited disorders characterized by reduced or absent amounts of hemoglobin.

(iii) "**Sickle cell disease**" means a hemolytic disorder characterized by chronic anemia, painful events, and various complications due to associated tissue and organ damage; "hemolytic" refers to the destruction of the cell membrane of red blood cells resulting in the release of hemoglobin.

5. Multiple Disabilities (more than one of the above specified disabilities) including deaf blindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.

6. Any other category as may be notified by the Central Government.



Sub: Company's Policy "EQUAL OPPORTUNITY POLICY AT WORKPLACE FOR PERSON WITH DISABILITY" under the Rights of the Persons with Disabilities Act, 2016 ("the Act") read with the Delhi Rights of Persons with Disabilities Rules, 2018 ("Delhi Disability Rules")

The key highlights of the subject policy are as under:

- Through the policy, BYPL is committed to ensure that the Company shall comply with the provisions of the Act and the Rules and ensure equal opportunity in all aspects of employment.
- Create and maintain a non-discriminatory and inclusive work environment which ensures a robust career growth path for people with disabilities and for those who acquire disability during their employment with the Company.
- BYPL aims to ensure that its physical infrastructure (buildings, furniture, facilities and services in the building/campus and transportation) adheres to the accessibility standards as prescribed by the Government of India.
- BYPL also aims to revamp its existing buildings by **December 26, 2020** to ensure the strict compliance with the Act and the Rules.
- In BYPL, suitable posts will be identified which can be offered to the persons with disability in line with the Company's internal policy and procedures. The hiring will be purely based on merit and the candidates will be evaluated on the basis of their skills and competence.
- Flexibility and accommodations will be provided to persons with disabilities on case to case basis.
- BYPL, as a model employer, is committed to safeguard the interests of persons with disabilities. The Company aims at extending a user friendly and barrier-free accessibility of work environment to all persons with disabilities. Necessary assistance will be provided to the persons with disabilities depending upon their nature and percentage of disability.
- The Liaison Officer shall be deputed for to oversee the recruitment of persons with disabilities and provisions of facilities and amenities for such employees with disability.
- BYPL will collect annual statistics pertaining to the new and serving employees to make their disabilities known to the Human Resources Department.

