

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE OF VOICE OF STREET MUSIC EDUCATION AND LEARNING FOUNDATION

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1. Objective

Voice of Street Music Education and Learning Foundation is a Company incorporated under Section 8 of the Companies Act, 2013 and established for promoting Music and Education at Hiphop School - Dharavi. (Hereinafter referred to as “the Hiphop School” or “VOS”). VOS is committed to fostering a safe, respectful, and inclusive environment that values all individuals, irrespective of gender, and promotes equal opportunities for all. This policy aims to prevent sexual harassment, promote gender equality, and provide a clear process for addressing and resolving complaints. This policy has been formulated in alignment with the *Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013* ("Act") and its associated rules, ensuring the creation of a workplace free from sexual harassment for everyone at VOS.

While the Act specifically addresses sexual harassment of women, the provisions of this policy extend to **all genders**, providing comprehensive protection for students, employees, and anyone involved with the Hiphop School.

2. Definitions

- a. **Sexual harassment** may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a VOS employee and someone that employee deals with in the course of his/her work who is not employed by the VOS.

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

- I) Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
- i. Physical contact and advances;
 - ii. Demand or request for sexual favors;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;

- vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
- viii. Persistent watching, following, contacting of a person; and
- ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

II) The following circumstances if it occurs or is present in relation to any **sexually determined** act or behavior amount to sexual harassment :

- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Implied or explicit threat about the present or future employment status;
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

b. 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 and includes contractual, temporary, visitors.

c. Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved woman

d. Employee: A person employed at the 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 the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a coworker, a contract worker, probationer, trainee, apprentice or by any other such name.

e. Workplace: a) All buildings and premises owned, leased, or controlled by Hip-hop School. b) Locations visited for school-related business, such as external events or training centres. c) Any school-provided accommodations or transportation used for school-related purposes, including travel for educational activities, field trips, or competitions.

f. Employer: A person responsible for management, supervision and control of the workplace



3. Purpose

The primary purpose of this policy is to:

- Establish a clear and transparent process for addressing complaints of sexual harassment.
- Promote respect for all genders and create a safe working and learning environment.
- Ensure that the inquiry and disciplinary actions follow the guidelines outlined in the Act, and that any sexual harassment, regardless of gender, is handled appropriately.
- Promote awareness of gender sensitivity, prevent harassment, and protect individuals from exploitation or retaliation.

4. Scope and Applicability

This policy applies to:

- All employees, including full-time, part-time, temporary, and contractual employees of Hiphop School.
- Visitors, vendors, interns, trainees, and any other individuals who interact with the Hiphop School as part of school activities or in any professional capacity.
- The policy applies to incidents that occur during or beyond regular school hours, on or off school premises, including accommodations and transport provided by the school.

5. Roles and Responsibilities

Role	Responsibilities
Aggrieved Individual	- Report the incident of sexual harassment to the Internal Committee (IC) in writing, providing as much detail as possible.
Internal Committee (IC)	- Investigate the complaint in a fair, unbiased, and time-bound manner. - Ensure confidentiality, document evidence, and provide a resolution.
Management	- Ensure the policy is implemented effectively. - Take appropriate action on the IC's recommendations. - Ensure proper execution of any disciplinary actions or recommendations.

If an aggrieved individual is unable to file a complaint due to physical or mental incapacity, death, or other reasons, the following persons may file a complaint on their behalf:

- **Physical Incapacity:** A relative, friend, co-worker, an officer of the National Commission for Women or State Women's Commission, or any person with knowledge of the incident, with the written consent of the aggrieved individual.
- **Mental Incapacity:** A relative, friend, special educator, qualified psychiatrist or psychologist, guardian, or authority under whose care the individual is receiving treatment, or any person with knowledge of the incident, jointly with any of the aforementioned persons.



- **Other Reasons:** Any person with knowledge of the incident, with the written consent of the aggrieved individual.
- **In Case of Death:** Any person with knowledge of the incident, with the written consent of the aggrieved individual's legal heir.

Please note that POSH Act requires complaints to be made in writing and does not recognize anonymous complaints, however the Hon'ble Courts of India have granted discretionary powers to the IC members. The IC members upon their discretion may take cognizance of anonymous complaints and take actions accordingly.

6. Policy Guidelines

6.1 Guidelines on Sexual Harassment

Sexual harassment complaints prioritize the impact on the complainant over the respondent's intent. Any act by a respondent that affects the complainant—physically, mentally, or otherwise—may be considered sexual harassment. comments or instructions given in the course of work by a senior employee to their subordinates, with a genuine work-related intent, shall not be treated as sexual harassment. However, if an employee finds such a comment offensive, they may file a complaint with the Internal Committee. It is important to note that these complaints will not be classified as sexual harassment.

Sexual harassment includes but is not limited to the following actions:

- **Physical Contact and Advances:** Any unwelcome physical gestures or touching of a sexual nature.
- **Sexual Favors:** Any request or demand for sexual favors.
- **Sexually Suggestive Remarks:** Making offensive comments, jokes, gestures, or remarks of a sexual nature, including vulgar jokes, inappropriate emails, texts, phone calls, or pictures.
- **Pornography or Offensive Material:** Displaying or sharing sexually explicit images, videos, or other material in any format.
- **Unwelcome Sexual Conduct:** Any other behavior that creates a hostile or intimidating environment based on sexual nature.

6.2 Non-Retaliation

VOS strictly prohibits retaliation against anyone who reports an incident of sexual harassment, participates in the investigation, or raises concerns. Retaliatory actions will be subject to disciplinary action, which may include termination.

6.3 Internal Committee (IC)

VOS will form an Internal Committee (IC) to handle complaints and ensure the timely resolution of issues related to sexual harassment.

- **Composition of the IC:**

- ☐ The IC will consist of at least four members, with at least 50% women members.
- ☐ The Chairperson of the IC will be a senior woman employee from the HipHop school.
- ☐ Two other employees with expertise in social work, law, or gender equality, and at least one external member from an NGO or organization focused on women's issues or having knowledge of laws will be appointed.

- **Powers of the IC:**

- ☐ The IC shall have powers akin to that of a civil court, including summoning witnesses, issuing summons, and requesting documents relevant to the inquiry. The IC shall have right to ask for digital data such as WhatsApp messages, pictures, email communication or any other relevant data necessary for the inquiry.
- ☐ The IC shall complete investigations within a time frame of 90 days.

- **Term of IC Members:**

- ☐ The members of the IC, including the Chairperson, will hold office for a maximum of three years. The committee may be reconstituted as required.
- ☐ A member of the IC may resign at any time by resigning in writing to VOS.

- **IC Responsibilities:**

- ☐ Educate and sensitize employees about the policy.
- ☐ Address the complaint, conduct investigation etc.
- ☐ Summon and enforce attendance of members.
- ☐ Call for evidence, documents.
- ☐ Know the Act, Policy and/or relevant Service Rules.
- ☐ Gather, record, and analyze all relevant information.
- ☐ Determine the main issues in the complaint.
- ☐ Prepare relevant interview questions.
- ☐ Conduct necessary interviews.
- ☐ Ensure parties are made aware of the process and their rights/responsibilities.
- ☐ Prepare the report with findings/recommendations.
- ☐ Maintain confidentiality.
- ☐ Be impartial, non-retaliation.
- ☐ Review meetings to be conducted on a quarterly basis and track the minutes for the yearly report with the management.

- **Removal or Replacement of IC member or Presiding Officer**

In the event that the Presiding Officer and / or any member of the IC:

- ☐ Contravenes any provisions of the Policy or Act; or
- ☐ Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against them; or
- ☐ Has been found guilty in any disciplinary proceedings or a disciplinary proceeding

is pending against them; or

- 2 Has abused their position as to render their continuance in office prejudicial to public interest, such Presiding Officer or member, shall be removed from the IC. Any vacancy created due to cessation of employment, resignation, death, disability, or removal, as applicable, shall be filled by a fresh nomination by the Company in accordance with the appropriate guidelines.

Current nominated members of the IC are given in **Annexure A**.

6.4 Grievance Redressal Procedure

A. Filing a Complaint:

Any aggrieved individual may make in writing, a complaint of sexual harassment to the VOS IC at vosictddp@gmail.com or can reach out to the Chief Operating Officer (“CEO”) within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three (3) months from the date of last incident. Complaints arising of incidents more than three (3) months old shall not be accepted. Provided, the IC may, 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 Complainant from filing a complaint within the said period.

On receipt of the complaint, the IC shall issue a notice along with copy of complaint to the Respondent within a period of seven (7) working days and shall ask the Respondent to reply to the complaint within a period not exceeding ten (10) working days from the date of receipt of the notice

B. Notice to Respondent:

Upon receiving the complaint, the IC will notify the respondent within seven working days and ask them to respond within ten working days.

C. Conciliation:

Provision for conciliation

- i. The IC before initiating an inquiry based on the complaint and Respondent reply can take steps to settle the matter between the aggrieved individual and the respondent through conciliation, provided that no monetary settlement shall be made based on conciliation.
- ii. Where a settlement has been arrived, the IC shall record the settlement so arrived and forward the same to the Company or act against recommendations made.
- iii. Further, the IC shall provide copies of the settlement recorded to the aggrieved individual and the respondent.
- iv. Where a settlement is arrived, as the case may be, no further inquiry shall be conducted of whatsoever nature in future and the same is treated as closed.

- v. Such statement of settlement would be signed off by both the parties as an acknowledgement of acceptance.

D. Inquiry Process:

- i. Subject to above C and in the event of any term or condition of the settlement not been complied by the Respondent, the IC shall conduct an inquiry into the complaint in accordance with the principles of natural justice.
- ii. Based on the written complaint and Respondent's reply, the IC may start an inquiry and as the case may be, may recommend the following to the employer
 - ☐ to transfer the aggrieved individual or the respondent to any other workplace or
 - ☐ suggest either of the party or both to proceed on garden leave until further notice from IC, but it shall not exceed 3 months.
 - ☐ grant such other relief to the aggrieved women as may be prescribed by law.
- iii. The IC must notify in writing, the time and dates of its meetings to the Company, the Complainant and the Respondent, not less than five (5) working days in advance of any such meeting.
- iv. While conducting the inquiry, a minimum of three members of the IC including the Presiding Officer or Chairperson, as the case may be, shall be present.
- v. The IC shall have the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and / or any other matter which may be prescribed and deemed necessary for the inquiry process.
- vi. The IC 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 themselves, for three consecutive hearings convened by the Chairperson or 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.
- vii. The Complainant and the Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.
- viii. All colleagues and witnesses who are part of the IC proceedings will need to sign a confidentiality agreement.
- ix. During the course of inquiry, the Complainant and the Respondent shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings

before the IC.

- x. The above said process of inquiry shall be completed within a period of ninety (90) days from the date of receipt of the complaint.

E. Inquiry Report

- i. On completion of an inquiry, the IC, may provide a report of its finding to the employer within ten (10) days from the date of completion of inquiry.
- ii. Where the IC, arrives at the conclusion that the allegations against the Respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.
- iii. Where the IC, arrives at the conclusion that the allegation against the respondent is hence proved, it shall recommend in writing to the Company to take action against the Respondent in accordance with the provisions of the service rules applicable to the respondent, which may include:
 - a written apology from the Respondent.
 - a letter of warning may be placed in the individual file of the Respondent.
 - Immediate transfer or suspension without pay.
 - reprimand or censure.
 - termination from service.
 - withholding of pay rise or increments.
 - Undergoing a counseling session.
 - carrying out community service.
 - register an FIR against the Respondent in case the act alleged, prima facie constitutes an offense under the Indian Penal Code.
 - deduction from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Individual or to his/ her legal heirs.
- iv. The Company or anyone nominated by the management shall take appropriate action in accordance with the applicable provisions of law. While keeping in view the principles of natural justice and equity, Company or anyone nominated by the management shall issue a show cause notice to the Respondent seeking response within seven (7) days from the date of receipt of the notice as to why Company should not undertake any action on the Respondent.
- v. In case the Company is unable to make deductions from the salary of the Respondent due to absence from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant. In case the Respondent fails to pay the sum referred to above, the IC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.
- vi. The Company shall act upon the recommendation given by IC within sixty days



of receipt of the recommendation.

F. Confidentiality

- ☐ The statements and other evidence obtained in the inquiry process will be considered confidential.
- ☐ The Committee will ensure confidentiality during the inquiry process and thereafter.
- ☐ All the parties involved in the inquiry process including but not limited to aggrieved individual, respondent, witness, committee members, Human Resource always need to maintain the confidentiality during and post the inquiry process. Any breach to confidentiality would lead to disciplinary action which may include termination of service.

G. Outcome

Based on the findings, the IC may recommend disciplinary actions such as:

- ☐ Written apology from the respondent.
- ☐ Warnings, reprimands, suspension, or termination from employment.
- ☐ Transfer or reassignment of the respondent or complainant.
- ☐ Referral to law enforcement if necessary.

7. False or Malicious Complaints

If a complaint is found to be false or malicious, the complainant may be subject to disciplinary action, including termination of employment. This also applies to any person providing false testimony or misleading documents during the inquiry process.

8. Severe Criminal Offense

In cases involving severe criminal offenses, the Internal Committee (IC) shall provide necessary support to the aggrieved person in filing a formal complaint with the local police station. The IC shall assist by guiding the individual through the process, offering necessary documentation, and coordinating with relevant authorities to ensure appropriate action is taken. Additionally, the IC shall extend all possible assistance within its capacity to support the aggrieved person in seeking justice and protection.

9. Appeals

Any individual dissatisfied with the recommendations made by the IC may appeal to the designated appellate authority within 90 days.



10. Exceptions

Any deviations from this policy will be evaluated on a case-to-case basis and must be approved by the IC Committee and Management.

11. Disclaimer

VOS reserves the right to modify, update, or amend this policy to comply with changes in legal requirements or HipHop School needs. Any changes will be communicated to all stakeholders. In case of any doubt or conflict regarding the interpretation of this policy, the decision of the Management will be final and binding.

Annexure A

Internal Compliant Committee of VOS	
Presiding Officer: Ms. Asha Gandhi (Designation: Operations Manager and Accounts Executive)	
Member: Kunal Kunchikorve (Designation : Field Coordinator)	
Member: Chetan Vishwakarma (Designation : Centre Manager)	
External Member: Kavita M Joshi	
Employer:	
	1. Dolly Rateshwar
	2. Tejashree Pol
	3. Avantika Bangara