

Arogya Foundation of India

Management Policies

CONFLICT OF INTEREST POLICY

Article I: Purpose

This conflict of interest policy is designed to foster public confidence in the integrity of **Arogya Foundation of India** and to protect the Organization's interest when it is contemplating entering a transaction (defined below) that might benefit the private interest of an Office Bearer or a key employee (defined below).

Article II: Definitions

The following are considered insiders for the purposes of this policy:

1. Each member of the Governing/Trust Board, or the Executive Committee of the Organization at Head Office or at Chapters.
2. Any key employee, meaning an employee who is In-charge of office or CPP at Head Office or at Chapter.
3. Interest means any commitment, investment, relationship, obligation, or involvement, financial or otherwise, direct or indirect, that may influence a person's judgment, or exchange transaction with the Organization.

A conflict of interest is present when, in the judgment of the Governing/Trust Board, an insider's stake in the transaction is such that it reduces the likelihood that an insider's influence can be exercised impartially in the best interests of the Organization.

Transaction means any transaction, agreement, or arrangement between an insider and the Organization, or between the Organization and any third party where an insider has an interest in the transaction or any party to it.

Article III: Procedures

1. Duty to Disclose

Each insider shall disclose to the Governing/Trust Board all material facts regarding his or her interest in the transaction, promptly upon learning of the proposed transaction.

2. Determining whether a Conflict of Interest Exists

With regard to an insider, the Governing/Trust Board shall determine if a conflict of interest exists. The insider(s) and any other interested person(s) involved with the transaction shall not be present during the Governing/Trust/Trust Board's discussion

or determination of whether a conflict of interest exists, except as provided in Article IV below.

3. Procedures for Addressing a Conflict of Interest

The Governing/Trust Board shall follow the procedures set forth in Article IV in order to decide what measures are needed to protect the Organization's interests in light of the nature and seriousness of the conflict, to decide whether to enter into the transaction and, if so, to ensure that the terms of the transaction are appropriate.

Article IV: Review by the Governing/Trust Board

The Governing/Trust Board may ask questions of and receive presentation(s) from the insider(s) and any other interested person(s), but shall deliberate the transaction in their absence. The Governing/Trust Board shall ascertain that all material facts regarding the transaction and the insider's conflict of interest have been disclosed to the Governing/Trust Board and shall compile appropriate data, such as comparability studies, to determine fair market value for the transaction.

After exercising due diligence, which may include investigating alternatives that present no conflict, the Governing/Trust Board shall determine whether the transaction is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable to the Organization; the majority of disinterested members of the Governing/Trust Board then in office may approve the transaction.

Article V: Records of Proceedings

The minutes of any meeting of the Governing/Trust Board pursuant to this policy shall contain the name of each insider who disclosed or was otherwise determined to have an interest in a transaction; the nature of the interest and whether it was determined to constitute a conflict of interest; any alternative transactions considered; the members of the Governing/Trust Board who were present during the deliberations on the transaction, and to what extent interested persons were excluded from the deliberations; any comparability data or other information obtained and relied upon by the Governing/Trust Board and how the information was obtained; and the result of the terms of the transaction that was approved and the date it was approved.

Article VI: Annual Disclosure and Compliance Statements

Each member of the Governing/Trust Board, Head Office and Chapter Executive Committees and each key employee of the Organization, shall annually sign a statement on the form attached, that:

- affirms that the person has received a copy of this conflict of interest policy, has read and understood the policy, and has agreed to comply with the policy; and
- Discloses instances that could give rise to conflicts of interest.

Article VII: Violations

If the Governing/Trust Board has reasonable cause to believe that an insider of the Organization has failed to disclose actual or possible conflicts of interest, including those arising from a transaction with a related interested person, it shall inform such insider of the basis for this belief and afford the insider an opportunity to explain the alleged failure to disclose. If, after hearing the insider's response and making further investigation as warranted by the circumstances, the Governing/Trust Board determines that the insider has failed to disclose an actual or possible conflict of interest, the Governing/Trust Board shall take appropriate disciplinary and corrective action.

Article VIII: Annual Reviews

To ensure that the Organization operates in a manner consistent with its status as an organization exempt from income tax, the Governing/Trust Board shall authorize and oversee an annual review of the administration of this conflict of interest policy. The review may be written or oral. The review shall consider the level of compliance with the policy, the continuing suitability of the policy, and whether the policy should be modified and improved.

POLICY ON DONOR REPORTING

1. **Purpose:** Each Office has to submit certain reports to all the donors. As **Arogya Foundation of India** operates its activities with support of donations, it depends on the donors for funding the existing scale as well as for expansion of activities. To make Donor Reporting uniform at all offices and to create a document which will be available with the offices whenever they are in need of referring to the policy, this policy is being prepared.
2. **Who is a Donor:** All individuals and legal persons donating for activities of the Organization will only be treated as a Donor for the purpose of this policy.
3. **Type of Donation:** The donation for the purpose of donor reporting will be classified into two categories, namely CSR donation and non-CSR donation.
4. **Donor Reporting to CSR/Non-CSR donors:**

The following information/documents shall be submitted to a Donor:

- a) Fund release request letter (in case of CSR donor)
- b) Receipt of donation (affixing revenue stamp wherever legally required),
- c) Thanks letter
- d) Certificate for exemption under Income Tax Act, 1961, within seven days if the donation is under section 80G and within 30 days if the donation is under section 35AC of the Act.
- e) Allotment letter for allocation of village/sanch or the location of project sponsored by the donor will be sent by email within 7 days from the date of signing of MOU.
- f) **Project** progress report for each quarter shall be submitted within 30 days from end of the quarter and one final project report will be submitted to the donor within days of completion of the project along with necessary supporting documents as agreed between the donor and AFI in the MOU.

Whistleblower policy

1. Preface

Arogya Foundation of India believes in conduct of the affairs of its constituents in a fair and transparent manner by adopting highest standards of professionalism, honesty, integrity and ethical behavior. Towards this end, the Organization has adopted the Code of Conduct (“the Code”), which lays down the principles and standards that should govern the actions of the Organization, its Trustees/Members of Governing Board and executive Committees (the members) and employees. Any actual or potential violation of the Code, howsoever insignificant or perceived as such, would be a matter of serious concern for the Organization. The role of the members and employees in pointing out such violations of the Code cannot be undermined. There is a provision under the Code requiring members and employees to report violations, which states:

“Reporting Concerns

“Every member and employee of the Organization shall promptly report to the management when she / he becomes aware of any actual or possible violation of the Code or an event of misconduct, act of misdemeanor or act not in the interest of the Organization. Such reporting shall be made available to all concerned.

Any member and employee can choose to make a protected disclosure under the whistleblower policy of the Organization, providing for reporting to the Governing/Trust Board or specified authority. Such a protected disclosure shall be forwarded, when there is reasonable evidence to conclude that a violation is possible or has taken place, with a covering letter, which may bear the identity of the whistleblower.

The Organization shall ensure protection to the whistleblower and any attempts to intimidate him/her would be treated as a violation of the Code”

This Whistleblower Policy (“the Policy”) has been formulated with a view to provide a mechanism for members and employees of the Organization to approach Governing/Trust Board.

2. Definitions

The definitions of some of the key terms used in this Policy are given below:

- (a) “Employee” means every employee of the Organization in the employment of or Volunteer working with the Organization.
- (b) “Code” means the Organization’s Code of Conduct.

(c) “Investigators” mean those persons authorized, appointed, consulted or approached by the Organization and includes the auditors of the Organization.

(d) “Protected Disclosure” means any communication made in good faith that discloses or demonstrates information that may evidence unethical or improper activity.

(e) “Subject” means a person against or in relation to whom a Protected Disclosure has been made or evidence gathered during the course of an investigation.

(f) “Whistleblower” means an employee or member making a Protected Disclosure under this Policy.

3. Scope

a. This Policy is an extension of the Organization Code of Conduct. The Whistleblower’s role is that of a reporting party with true and reliable information. They are not required or expected to act as investigators or finders of facts, nor would they determine the appropriate corrective or remedial action that may be warranted in a given case.

b. Whistleblowers should not act on their own in conducting any investigative activities, nor do they have a right to participate in any investigative activities other than as requested by the Governing/Trust Board or the Investigators.

c. Protected Disclosure will be appropriately dealt with by the Governing/Trust Board and their representative as the case may be.

4. Eligibility

All members and employees of the Organization are eligible to make Protected Disclosures under the Policy. The Protected Disclosures may be in relation to matters concerning the Organization only.

5. Disqualifications

a. While it will be ensured that genuine Whistleblowers are accorded complete protection from any kind of unfair treatment as herein set out, any abuse of this protection will warrant disciplinary action.

b. Protection under this Policy would not mean protection from disciplinary action arising out of false or bogus allegations made by a Whistleblower knowing it to be false or bogus or with a mala fide intention.

c. Whistleblowers, who make two or more Protected Disclosures, which have been subsequently found to be mala fide, frivolous, baseless, malicious, or reported otherwise than in good faith, will be disqualified from reporting further Protected Disclosures under this Policy. In respect of such Whistleblowers, the Organization would reserve its right to take/recommend appropriate disciplinary action.

6. Procedure

a. All Protected Disclosures concerning financial/accounting matters should be addressed to the National Treasurer of the Organization for investigation.

b. In respect of all other Protected Disclosures, should be addressed to the President of the Executive Committee of the Organization at its Head Office (the President).

c. If a protected disclosure is received by any Office Bearer of the Organization other than President, the same should be forwarded to the President.

Appropriate care must be taken to keep the identity of the Whistleblower confidential.

d. Protected Disclosures should preferably be reported in writing so as to ensure a clear understanding of the issues raised and should either be typed or written in a legible handwriting in English, Hindi or in the regional language of the place of engagement of the Whistleblower.

e. The Protected Disclosure should be forwarded under a covering letter which may bear the identity of the Whistleblower. The President shall detach the covering letter and forward only the Protected Disclosure to the Investigators for investigation.

f. Protected Disclosures should be factual and not speculative or in the nature of a conclusion, and should contain as much specific information as possible to allow for proper assessment of the nature and extent of the concern and the urgency of a preliminary investigative procedure.

g. The Whistleblower may disclose his/her identity in the covering letter forwarding such Protected Disclosure. Anonymous disclosures will also be entertained. However, it may not be possible to interview such Whistleblowers and grant him/her protection under the policy.

7. Investigation

a. All Protected Disclosures reported under this Policy will be thoroughly investigated by the Committee appointed by the President of the Organization who will investigate / oversee the investigations. If any member of the Committee has a conflict of

interest in any given case, then he/she should recues himself/herself and the other members of the Committee should deal with the matter on hand.

b. The President may at his discretion consider involving any Investigators for the purpose of investigation.

c. The decision to conduct an investigation taken by the President by itself not an accusation and is to be treated as a neutral fact-finding process. The outcome of the investigation may not support the conclusion of the Whistleblower that an improper or unethical act was committed.

d. The identity of a Subject will be kept confidential to the extent possible given the legitimate needs of law and the investigation.

e. Subjects will normally be informed of the allegations at the outset of a formal investigation and have opportunities for providing their inputs during the investigation.

f. Subjects shall have a duty to co-operate with any of the Investigators during investigation to the extent that such co-operation will not compromise self-incrimination protections available under the applicable laws.

g. Subjects have a right to consult with a person or persons of their choice, other than the members of the Governing/Trust Board/Executive Committees and/or the Whistleblower. Subjects shall be free at any time to engage counsel at their own cost to represent them in the investigation proceedings.

h. Subjects have a responsibility not to interfere with the investigation. Evidence shall not be withheld, destroyed or tampered with, and witnesses shall not be influenced, coached, threatened or intimidated by the Subjects.

i. Unless there are compelling reasons not to do so, Subjects will be given the opportunity to respond to material findings contained in an investigation report. No allegation of wrongdoing against a Subject shall be considered as maintainable unless there is good evidence in support of the allegation.

j. Subjects have a right to be informed of the outcome of the investigation. If allegations are not sustained, the Subject should be consulted as to whether public disclosure of the investigation results would be in the best interest of the Subject and the Organization.

k. The investigation shall be completed normally within 45 days of the receipt of the Protected Disclosure.

8. Protection

a. No unfair treatment will be meted out to a Whistleblower by virtue of his/her having reported a Protected Disclosure under this Policy. The Organization, as a policy, condemns any kind of discrimination, harassment, victimization or any other unfair employment practice being adopted against Whistleblowers. Complete protection will, therefore, be given to Whistleblowers against any unfair practice like retaliation, threat or intimidation of termination/suspension of service, disciplinary action, transfer, demotion, refusal of promotion, or the like including any direct or indirect use of authority to obstruct the Whistleblower's right to continue to perform his/her duties/functions including making further Protected Disclosure. The Organization will take steps to minimize difficulties, which the Whistleblower may experience as a result of making the Protected Disclosure. Thus, if the Whistleblower is required to give evidence in criminal or disciplinary proceedings, the Organization will arrange for the Whistleblower to receive advice about the procedure, etc.

b. A Whistleblower may report any violation of the above clause to the President, who shall investigate into the same and recommend suitable action to the management.

c. The identity of the Whistleblower shall be kept confidential to the extent possible and as permitted under law. Whistleblowers are cautioned that their identity may become known for reasons outside the control of the President and/or Governing/Trust Board (e.g. during investigations carried out by Investigators).

d. Any other Employee assisting in the said investigation shall also be protected to the same extent as the Whistleblower.

9. Investigators

a. Investigators are required to conduct a process towards fact-finding and analysis. Investigators shall derive their authority and access rights from the Governing/Trust Board when acting within the course and scope of their investigation.

b. Technical and other resources may be drawn upon as necessary to augment the investigation. All Investigators shall be independent and unbiased both in fact and as perceived. Investigators have a duty of fairness, objectivity, thoroughness, ethical behavior, and observance of legal and professional standards.

c. Investigations will be launched only after a preliminary review which establishes that:

i. the alleged act constitutes an improper or unethical activity or conduct, and

ii. Either the allegation is supported by information specific enough to be investigated, or matters that do not meet this standard may be worthy of management review, but investigation itself should not be undertaken as an investigation of an improper or unethical activity.

10. Decision

If an investigation leads the President to conclude that an improper or unethical act has been committed, the President shall recommend to the management Board of the Organization to take such disciplinary or corrective action as the Governing/Trust Board deems fit. It is clarified that any disciplinary or corrective action initiated against the Subject as a result of the findings of an investigation pursuant to this Policy shall adhere to the applicable personnel or staff conduct and disciplinary procedures.

11. Reporting

The President shall submit a report to the Governing/Trust Board on a regular basis about all Protected Disclosures referred to him/her since the last report together with the results of investigations, if any.

12. Retention of documents

All Protected Disclosures in writing or documented along with the results of investigation relating thereto shall be retained by the Organization for a minimum period of five years.

13. Amendment

The Organization reserves right to amend or modify this Policy in whole or in part, at any time without assigning any reason whatsoever in a meeting of the Governing/Trust Board. However, no such amendment or modification will be binding on the employees and members unless the same is notified in writing.

POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN

1.0 POLICY

- 1.1. Arogya Foundation of India is an equal employment opportunity organization and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and a harassment free workplace to all employees without regard to race, caste, religion, color, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability. The Organization also believes that all employees have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving an employee/ volunteer or employees/volunteers is a grave offence and is therefore, punishable.
- 1.2. The Supreme Court has also directed to lay down guidelines and a forum for redressal of grievances related to sexual harassment. This policy takes complete cognizance of the latest legislation by the Government of India. "The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013 and its rules notification published on 9th December 2013. This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto.
- 1.3. At the Organization all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to
 - Treat each other with dignity and respect
 - Follow the letter and spirit of law
 - Refrain from any unwelcome behavior that has sexual connotation (of sexual nature)
 - Refrain from creating hostile atmosphere at workplace via sexual harassment
 - Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the organization.

2.0 SCOPE

- 2.1. This Policy extends to all employees and volunteers of the Organization and is deemed to be incorporated in the service conditions of all employees and volunteers.

2.2. Sexual harassment would mean and include any of the following but not limited to:

- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit;
- Physical contact and advances;
- Demand or request for sexual favors;
- Sexually colored remarks, including but not limited to vulgar/ indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.
- Showing pornography or the likes;
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Physical contact and advances such as touching, stalking, sounds which have explicit and/or implicit sexual connotation/overtone, molestation;
- Display of pictures, signs etc. with sexual nature / connotation/ overtone in the work area and work-related areas;
- Verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance and has sexual connotation / overtone/ nature;
- Teasing, Voyeurism, innuendos and taunts, physical confinement and/or touching against one's will and likely to intrude upon one's privacy;

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.

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

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

2.3 Definitions:

Aggrieved Individual

An Aggrieved Individual, in relation to a workplace, is a person, of any age, whether an Employee, volunteer or not, who alleges to have been subjected to any act of Sexual Harassment.

Complainant

A Complainant is any Aggrieved Individual (if the Aggrieved Individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

Employee

An Employee means a person employed with the Organization as employee or as volunteer for any work on permanent, deputation, temporary, consultants, part time, 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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

Respondent

A Respondent means the person against whom the Complainant has made a complaint.

Workplace

- Premises, locations, establishments, enterprises, institutions, offices, branches or units established are owned and controlled by other verticals of Ekal and space given on lease to Arogya Foundation of India at Delhi, Kolkata, Ranchi and other places.
- Places visited by the Employee arising out of or during the course of employment including official events, transportation, Accommodation provided by the employer for undertaking such journey.

3.0 COMPLAINT REDRESSAL COMMITTEE/INTERNAL COMPLAINTS COMMITTEE

As per the guidelines given by the Law, Internal Complaints Committee (ICC) will be appointed for all offices of the Organization.

As per the guidelines given by law, the policy on prevention of sexual harassment of women and the contact information of the redressal committee and their members with their telephone numbers and email IDs will be affixed on notice a Board at a conspicuous place in the offices of Arogya Foundation of India.

4.0 REDRESSAL PROCESS

4.1 A Complainant can make, in writing, a complaint of Sexual Harassment to the Internal Complaints Committee (ICC), 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. The ICC 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.

4.2 If the Aggrieved Individual is unable to make a complaint on account of his/her physical incapacity, a complaint may be filed by:

- his/her relative or friend ; or
- his/her co-worker; or
- Any person who has knowledge of the incident, with the written consent of the Aggrieved Individual.

i) If the Aggrieved Individual is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by :

- his/her relative or friend ; or
- the guardian or authority under whose care he/she is receiving treatment or care ; or
- any person who has knowledge of the incident jointly with the Aggrieved Individual's relative or friend or guardian or authority under whose care he/she is receiving treatment or care.

ii) If the Aggrieved Individual for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with his/her written consent.

iii) If the Aggrieved Individual is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his/her legal heir.

4.3 The form in which the complaint is required to be made is annexed as **Annexure 1** to the Policy. This form will be available with the ICC. However, any written complaint received in any form other than the form prescribed in **Annexure 1** shall also be accepted. The complaint can be submitted to the ICC electronically or may be physically submitted to any ICC member.

- 4.4** The Complainant shall submit two copies of the complaint along with supporting documents and relevant details concerning the alleged incident(s), the name and details of the Respondent and names and addresses of the witnesses.
- 4.5** The Committee will maintain a record of the complaints received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- 4.6** The Committee will hold a meeting with the Complainant within five days of receipt of the complaint, but not later than a week in any case.
- 4.7** At the first meeting, the Committee members shall hear the Complainant and record his/her allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady member may be deputed to record her statement.
- 4.8** 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.
- 4.9** 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.
- 4.10** In case the complaint is found to be false, the Complainant shall if deemed fit, be liable for appropriate disciplinary action by the Management.

5.0 ENQUIRY PROCESS

- 5.1** The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- 5.2** The Committee shall prepare and handover 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.

- 5.3** The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 5.4** 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 that they propose to call.
- 5.5** 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.
- 5.6** The Committee shall call upon all witnesses mentioned by both the parties.
- 5.7** 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.
- 5.8** 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 President of the Organization within a period of ten days from the date of completion of the inquiry and such report should be made available to the concerned parties. 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.
- 5.9** The President of the Executive Committee will direct appropriate action in accordance with the recommendation proposed by the Committee.
- 5.10** The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted from time to time.

6.0 OTHER POINTS TO BE CONSIDERED

- 6.1** The Organization Management will provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

- 6.2** Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Organization shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 6.3** The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to Governing/Trust Board.
- 6.4** In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police complaint.
- 6.5** **Penal Consequences of Sexual Harassment**
In addition to action which the Management may initiate under the Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act 2013, the following liability may arise under the Indian Penal Code.

The Indian Penal Code (IPC), Section (S.354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested without a warrant.

- a. A man committing any of the following acts
- i) Physical contact and advances involving unwelcome and explicit sexual overtures or
 - ii) A demand or request for sexual favors or
 - iii) Showing pornography against the will of a woman or
 - iv) Making sexually colored remarks shall be guilty of the offence of sexual harassment.
- b. Any man who commits the offence specified in clause (i) or clause(ii) or clause(iii) above, shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.
- c. Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.
- d. In addition, acts of Sexual Harassment may also constitute other offenses under IPC including section 354 (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape)

and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.

Anti bribery and Anti-corruption Policy

1. Objective

Arogya Foundation of India is committed to the prevention, deterrence and detection of fraud, bribery and all other corrupt business practices. It is Organization's policy to conduct all of its business activities with honesty, integrity and the highest possible ethical standards and vigorously enforce its business practice, wherever it operates, of not engaging in bribery or corruption.

2. Scope and applicability

This Anti-bribery and Anti-corruption Policy (this "Policy") applies to all individuals, employee, volunteer or member (collectively referred to as "You" or "you" in this Policy).

In this Policy, "Third Party(ies)" means any individual or organization, who/which come into contact with or transact with the Organization and also includes actual and potential suppliers, business contacts, donors, volunteers, consultants, intermediaries, representatives, subcontractors and agents.

3. Policy details

A bribe is an inducement, payment, reward or advantage offered, promised or provided to any person in order to gain any commercial, contractual, regulatory or personal advantage. It is illegal to directly or indirectly offer a bribe or receive a bribe. It is also a separate offence to bribe a government/public official. "Government /public official" includes officials, whether elected or appointed, who hold a legislative, administrative or judicial position of any kind in a country or territory.

A bribe may be anything of value and not just money – gifts, inside information, sexual or other favors, corporate hospitality or entertainment, offering employment to a relative, payment or reimbursement of travel expenses, charitable donation or social contribution, abuse of function – and can pass directly or through a third party. Corruption includes wrong-doing on the part of an authority or those in power through means that are illegitimate, immoral or incompatible with ethical standards. Corruption often results from patronage and is associated with bribery.

4. Gifts and hospitality

Employees, volunteers or members should not provide, solicit or accept cash or its equivalent, entertainment, favors, gifts or anything of substance to or from competitors, vendors, suppliers, customers or others that do business or are trying to

do business with the Organization. All relationships with those who the Organization deals with should be cordial, but must be on an arm's length basis. Nothing should be accepted, nor should the employee have any outside involvement, that could impair, or give the appearance of impairing, an employee's ability to perform his/her duties or to exercise business judgment in a fair and unbiased manner.

This Policy does not prohibit normal and appropriate gifts, hospitality, entertainment and promotional or other similar business expenditure, such as calendars, diaries, pens, meals and invitations to theatre and sporting events (given and received), to or from Third Parties. However, the key determining factor for appropriateness of the gift or hospitality and/or its value would be based on facts and circumstances under which such gift or hospitality is provided.

The practice of giving gifts and hospitality is recognized as an established and important part of doing business. However, it is prohibited when they are used as inducement and bribes. To avoid committing a bribery offence, the gift or hospitality must be reasonable and justifiable in all the circumstances.

The giving or receiving gifts or hospitality is acceptable under this Policy if all the following requirements are met.

- a. It is not made with the intention of influencing a Third Party to obtain /retain business or a business advantage or to reward the provision or retention of business or a business advantage or in explicit or implicit exchange for favors / benefits or for any other corrupt purpose
- b. It complies with local laws and customs
- c. It does not include cash or a cash equivalent (such as gift certificates or vouchers)
- d. Taking into account the reason for the gift or hospitality, it is of an appropriate type and value and given at an appropriate time.
- e. It is given openly, not secretly and in a manner that avoids the appearance of impropriety

Examples of Token Gifts: Corporate calendar, pens, mugs, books, T-shirts, wine bottles, bouquet of flowers or a pack of sweets or dry fruits.

5. What is not acceptable?

It is not acceptable for any employee or volunteer of the Organization (or someone on his/her behalf) to:

- a) Accept an offer of a gift of any size from any Third Party which is in negotiation with, or is submitted a proposal with the Organization
- b) Give, promise to give or offer, any payment, gift, hospitality or advantage with the expectation or hope that a business advantage will be given or received or to reward a business advantage already given
- c) Give, promise to give or offer, any payment, gift or hospitality to a government official, agent or representative to “facilitate” or expedite a routine procedure
- d) Accept or solicit any payment, advantage, gift or hospitality from a Third Party that you know or suspect is being offered with the expectation that it will obtain a business advantage for them
- e) Threaten or retaliate against, another employee who has refused to commit a bribery offence or who has raised concerns under this Policy
- f) Engage in any activity that might lead to breach of this Policy.

The points stated above are illustrative in nature and in no way intend to limit the applicability of this Policy.

6. Willful blindness

If an employee willfully ignores or turns a blind eye to any evidence of corruption or bribery within his/her department and/or around him/her, it will also be taken against the employee. Although such conduct may be “passive”, i.e. the employee may not have directly participated in or may not have directly benefited from the corruption or bribery concerned, the *willful blindness* to the same can, depending upon the circumstances, carry the same disciplinary action as an intentional act.

7. Charitable donations

As part of its civil service activities, the Organization supports local charities. We only make charitable donations that are legal and ethical under local laws and practices and also within the corporate governance framework of the organization.

8. Political activities

We are apolitical, advocate government policies on sustainability and do not contribute financial or in kind to political parties, politicians and related institutions.

We do not make contributions to political parties, political party officials or candidates for political office. Payment or use of corporate assets of any type as payment, directly or indirectly to any person, business, political organization or public official for any unlawful or unauthorized purpose is prohibited.

9. Business relationships

The Organization expects all Third Parties doing business with it to approach issues of bribery and corruption in a manner that is consistent with the principles set out in this Policy. The Organization requires all Third Parties to cooperate and ensure compliance with these standards, to continue the business relationship.

10. Record keeping

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contracts, should be prepared and maintained with strict accuracy and completeness. No accounts will be kept “off-book” to facilitate or conceal improper payments and the same is ensured through effective monitoring and auditing mechanisms in place.

Employees must follow all the procedures laid out in other policies which help in anti-bribery and corruption due diligence on suppliers, potential joint venture parties, clients and other Third parties.

11. What are the Governing/Trust legislations?

All national laws relating to bribery and corruption, especially such laws that are in place in jurisdictions where the Organization has office(s) or carries out its work, are of importance to it.

12. How to raise a concern

Every person, to whom this policy applies too, is encouraged to raise their concerns about any bribery issue or suspicion of malpractice at the earliest possible stage. If he/she is unsure whether a particular act constitutes bribery or corruption or if he/she has any other queries, these should be raised with the President of the concerned Chapter.

13. Protection

Those who refuse to accept or offer a bribe or those who raise concerns or report another's wrong-doing, are sometimes worried about possible repercussions. We encourage openness and will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. We are committed to ensuring that no one suffers any detrimental treatment as a result of refusing to take part in bribery or corrupt activities or because of reporting their suspicion in good faith that an actual or potential bribery or other corruption offence has taken place or may take place in the future. If any employee believes that he/she has suffered any such treatment, he/she should inform President of the Organization.

14. Who is responsible for the Policy?

The President has overall responsibility for ensuring that this Policy complies with our legal and ethical obligations and that all those under our control comply with it.

Every person to whom this policy applies is responsible for the success of this Policy and should ensure that he/she should use it to disclose any suspected activity or wrong-doing.

15. Waiver and amendment of the policy

We are committed to continuously reviewing and updating our policies and procedures based on the learning. Therefore, this document is subject to modification. Any amendment or waiver of any provision of this Policy must be approved by the Governing/Trust Board. The Policy will be reviewed and audited from time to time which requires cooperation from all concerned.

CHILD PROTECTION POLICY

A. Statement

Arogya Foundation of India is committed to actively safeguarding children from harm and ensuring children's rights to protection are fully realized. We take seriously our responsibility to promote child safe practices and protect children from harm, abuse, neglect and exploitation in any form. In addition, we will take positive action to prevent child abusers from becoming involved with the Organization in any way and take stringent measures against its staff, volunteer and/or member who abuses a child. Our decisions and actions in response to child protection concerns will be guided by the principle of 'the best interests of the child'.

B. Definitions under the Child Protection Policy

1. **A child** is defined as any person under the age of 18 years.
2. **Child Abuse** is defined as all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial or other exploitation of a child and includes any actions that result in actual or potential harm to a child.

Child abuse may be a deliberate act or it may be failing to act to prevent harm. Child abuse consists of anything which individuals, institutions or processes do or fail to do, intentionally or unintentionally, which harms a child or damages their prospect of safe and healthy development into adulthood.
3. **Child Protection**, within the scope of this policy, is defined as the responsibilities, measures and activities that the Organization undertakes to safeguard children from both intentional and unintentional harm.

C. Scope of the Child Protection Policy

The Child Protection Policy applies to everyone working for or associated with the Organization. It encompasses the whole Organization and includes without limitation:

1. Staff at all levels – in office, in field or elsewhere, employees and volunteers.
2. AFI Member – these include all members of all Chapters.
3. AFI Visitors - (e.g. donors, journalists, media, researchers, celebrities etc.) who may come into contact with children through the Organization are also bound by this policy.

D. Responsibilities under the Child Protection Policy

Staff, Members and Visitors must:

1. Never abuse and/or exploit a child or act/behave in any way that places a child at risk of harm
2. Report any child abuse and protection concerns they have in accordance with law. This is a mandatory requirement for Staff. Failure to do so may result in disciplinary action.
3. Respond to a child who may have been abused or exploited in accordance with law.
4. Cooperate fully and confidentially in any investigation of concerns and allegations.
5. Contribute to an environment where children are respected and encouraged to discuss their concerns and rights.
6. Always ask permission from children (or, in the case of young children, their parent or guardian) before taking images (e.g. photographs, videos) of them. Respect their decision to say no to an image being taken. Ensure that any images taken of children are respectful (For example: children should have adequate clothing that covers up the sexual organs. Images of children in sexually suggestive poses or that in any way impact negatively on their dignity or privacy are not acceptable).
7. Be aware that where concerns exist about the conduct of Staff or Members in relation to child protection and/or where there has been a breach of the Child Protection Policy, this will be investigated under this policy either: by consideration of referral to statutory authorities for criminal investigation under local laws within India and/or by the Organization in accordance with disciplinary procedures. This may result in disciplinary sanctions and/or dismissal for Staff.

Be aware that the Organization will sever all relations with any Member or Visitor who is proven to have committed child abuse.

8. Be aware that, if a legitimate concern about suspected child abuse is raised, which proves to be unfounded on investigation, no action will be taken against

the reporter. However, any employee who makes false and malicious accusations will face disciplinary action.

Be aware that the Organization will however take appropriate legal or other action against its Members and Visitors who make false and malicious accusations of child abuse.

Staff and Volunteers must not:

9. Disclose information that identifies sponsored families or children or make it available to the general public unless that disclosure is in accordance with standard Organization policies and procedures.

Members and Visitors must not:

10. Disclose information that identifies beneficiary families or children or make it available to the general public without explicit consent from the organization.

Ensure that local procedures are made available in local languages.

E. Personal Conduct outside Work

The organization is committed to ensuring that our Staff and representatives apply high standards of behavior towards children within both their professional and their private lives.

The organization does not intend to dictate the belief and value systems by which its employees conduct their personal lives. The position of the organization is dependent, however, on maintaining good relations and upholding its reputation as a child-focused community development organization with numerous organizations. Unlawful or other conduct by employees which jeopardizes Organization's reputation or position whether during or after business hours will not be permitted. Such conduct includes, but is not limited to: any unlawful activity related to sexual abuse; any other unlawful activity; sexual harassment, physically / verbally abusive behavior; and public disorderly conduct.

Staff, Volunteers and Members are required to bear in mind the principles of the Child Protection Policy and heighten their awareness of how their behavior may be perceived both at work and outside work.