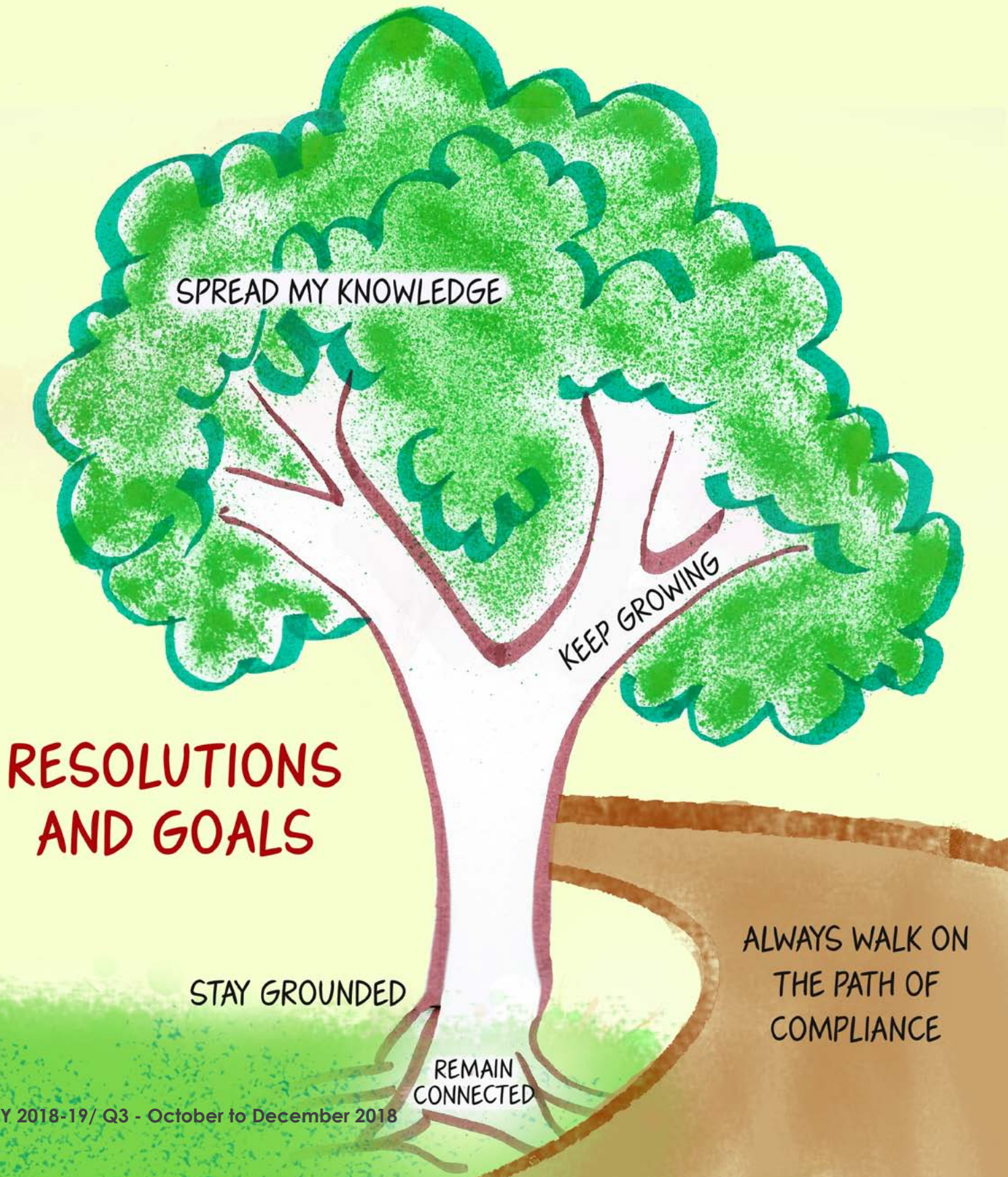


# compliance connect

News and views from the social sector





CAP CLASSIFIEDS

**The Foundation for Research in Community Health, (FRCH)** is a non-profit voluntary organization in the field of health care. The Foundation is registered as a Public Trust having Public Trust Registration No: E – 6007. The Foundation owns two flats admeasuring 1,202 sq. ft (excluding 2 parking slots) each situated at Trimiti “B” Apartment, Flat No: 3 & 4, 85 Anand Park, Lane 1, Aundh, Pune 411007. **The Foundation wishes to sell the said property to augment its funds.** This property is located at a prime and quiet location of Pune, in Aundh area which is also being termed as part of “Smart City”. It is well served for access to shops and transport to Pune centre and is in the vicinity of the Mumbai – Pune expressway.

**Interested parties may contact FRCH in Pune – Tel. No. 020 2588 7020 or 2588 1308 (Attention Ms. Jyoti or Aarti) or in Mumbai through Tel. No. 022 2493 4989 or 2943 8601 (Attention Ms. Jaya or Perviz)**



**Wanted a BCom as Accounts Assistant** for a reputed research organization (**The Foundation for Medical Research - Public Trust**) located in Mumbai. Minimum 3 years’ experience essential. Salary commensurate to experience. Please send detailed biodata with photograph and references **within 10 days to fmmum@gmail.com**

**Arpan** is working on the issue of Child sexual abuse for the last 10 years. We are looking for:

- **Executive/Associate Marketing & Communication** - BMM/MBA/PGDBM in Marketing & communications or Graduate with relevant experience.
- **Sr. Manager/Manager Marketing & Communication** - Marketing of all products & services of Arpan to strategic partners, national/international forums; ecommerce platforms to enable access of resources developed by Arpan
- **Counsellor** - Post Graduation in Clinical/ Counselling Psychology/ Psychiatric Social Work.
- **Program Officer** - Graduation or Post graduation in Education, Sociology, Social work, Psychology, Child Development.

Please contact Priyanka, Email id -: [priyanka@arpan.org.in](mailto:priyanka@arpan.org.in) & [career@arpan.org.in](mailto:career@arpan.org.in)  
**Contact no-: 268682444/26868444**

**Wanted A Full Time or Part Time Marketing Cum Fund Raising Executive**  
**A fast growing not-for-profit, that provides palliative care in the patient’s home,** is looking for an energetic, intelligent, well-turned out person with a pleasant personality, who is also a good communicator, to help the founder build revenues through CSR and HNI donations. Ability to write project proposals for large grants and organise fund raising events is desirable. Candidates should also be ready to promote the service to the medical community.  
Interested candidates please apply to: **contact.palcareindia@gmail.com**

**Kotak Education Foundation** has the following openings:

- **Facilitator/Trainer** for Skill Development Program. Education: MSW/BSW Graduate(Fresher or Experienced) with excellent inter-personnel skills (English & Marathi).Location: Anywhere in Western, Central and Harbour Line of Mumbai.
- **Research Senior Manager/Deputy Project Head.** Education: PhD or pursuing PhD is preferred. Experience: 8+ years. Location: Mumbai. Must have worked in the research team of Development/NGO Sector. Rich experience in the field of Quantitative Study and Project Management.
- **Operations Manager** for vocation training program . Education: Any Masters with 5+ years of experience in NGO/Skill Development Initiative is mandatory. Need to look after Logistics, Budget Management, Target and Infrastructure.Travel Required.

Please apply with updated resume to [trisha.das@kotakeducationfoundation.org](mailto:trisha.das@kotakeducationfoundation.org) / [kiran.barde@kotakeducationfoundation.org](mailto:kiran.barde@kotakeducationfoundation.org)  
Salary- As per Market Standards.

Work with **Cipla Palliative Care and Training Centre**  
Role: **Department Head-Clinical Administration/Medical Superintendent**  
Purpose: To ensure that the Centre achieves substantive improvements in its ongoing activities and strengthens its clinical services through excellent clinical management, improving the quality of patient care and ensuring the facilities are well-staffed and financials are well-managed.  
Education and Experience: At least 8-12 years’ work experience with similar role, post completion of medical degree.  
Location: Pune Warje, **Email your CV to [cf.contact@cipla.com](mailto:cf.contact@cipla.com)**

**Wanted Social Media Coordinator** for **Travelling Film Festival**  
Men Against Violence and Abuse needs a Social Media Coordinator to organise Video-Shoot and Photography of key discussions post-screenings of a 2-day Travelling Film Festival on Gender Diversity which is ongoing till March 2019. We want a Candidate with 1 years’ experience in Documentation, Film-making and Social Media. Interested candidates should write to Mr. Harish Sadani, Chief Functionary MAVA at [saharsh267@gmail.com](mailto:saharsh267@gmail.com) or call **9870307748**.

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Know more about our work, visit us at [www.capindia.in](http://www.capindia.in)

*The opinions and views presented in the magazine reflect the views of the authors and contributors of the articles and not necessarily of CAP. Although we take utmost care, we apologise for any inadvertent typographical errors.*

compliance  
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22 CONNECT

**R**esolving the past year  
**E**agerly beginning anew  
**S**triving to grow  
**O**n a path to healthier  
**L**iving and learning  
**U**nderstanding strengths and weaknesses  
**T**hinking about future  
**I**mprovements leading to  
**O**ngoing challenges  
**N**ever giving up  
**S**ticking to promises





**Meher Gandevia-Billimoria,**  
Programme Director,  
Capacity Building &  
Resources

**Noshir Dadrawala,**  
Programme Director,  
Legal & CSR Compliance

**It's that time of the year, with festivity at the forefront of everything, there are resolutions at the back of everyone's mind. Resolutions hard to make, harsh to follow and toughest to maintain.** Yet, many of us make them... to break them. By the end of the first month, many realise they were not as easy to keep them as it was to make them. Goals whether organisational or personal are just as difficult, often more so because they involve a larger buy in from more persons.

**What are some of the things we can watch out for or do to ensure success of goals and resolutions?**

**Own the goals** – Make sure the person/s making them have buy in, individually and collectively.

**Keep them simple** – Keep them achievable.

**Be realistic** – Know that there will obstacles, understand life if full of changes.

**Let them be meaningful** – anything that is not to a purpose usually dwindles out or flops.

Try to follow the new trend of micro-resolutions. You can make smaller sized resolutions and a time frame that you want to do them for and get more accomplished over the year. These micro steps are a more realistic way to get to where you want. Break down your resolutions into smaller achievable goals. Our compliance certification is really a reflection of that. An organisation whose goal is to get their compliance in order, works every month to achieve one area of compliance fixed. At the end of the year, they are Compliance-Complete at one go.

**Here are some resolutions the nonprofit space could make. 😊**

- To anyone who suggests Scale, Strategy & Sustainability, “Skip it, strangle it, Ship it back to sender”
- Instead of a Christmas tree buy a cactus and instead of stars and bells decorate (read impale) terms like ‘impact’, ‘impact investor’ ‘consultant’, ‘domain expert’ etc., all over the thorns
- Ask grant makers to invest in “capacity building” before expecting NGOs to become “grant capable”
- Ask government to change its slogan of “ease of doing business” to “ease of doing charity”
- Ask donors to budget for a “Happy Voluntary Sector”
- Ask Ministry of Corporate Affairs not to make CSR = Corporate Slave to Regulator
- Ministry of Home Affairs to make FCRA compliance more ‘homely’ and friendly.

*Have a great new year everyone!!*

# FCRA NEWS

**FCRA is always in the news and this last quarter it has brought some relief and some new pains. Read on ....**

## **a) Date for filing FC4 extended**

Ministry of Home Affairs (MHA) has announced that the last date for filing online Annual Returns in Form FC-4 for Financial Year 2017-18 has been extended to 31.03.2019, on account of various difficulties being faced by associations registered under FCRA.

This comes as a big relief to those who are still struggling with obtaining ‘NGO Darpan UID’ or other technical problems on MHA’s online portal.

## **b) 156 NGOs suspended under FCRA**

Ministry of Home Affairs (MHA) has on 6th December 2018 suspended FCRA registration of 156 associations for their failure to open bank account(s) in one or more of the banks linked to the Public Financial Management System (PFMS).

Though the defaulting NGOs were served a show-cause notice on June 29, 2018, for not complying with a Central government’s notice of December 2017 asking FCRA-registered NGOs to open accounts, as mandated in Section 17 of FCRA, in one or more banks integrated with PFMS, they had failed to file a response within the prescribed 15-day time limit.

PFMS is a web-based application for payment, accounting and reconciliation of government transactions and is designed for keeping government up to date about the frequency, number and quantum of foreign contributions made to and utilized by FCRA registered NGO.

According to MHA, “The said associations have neither given any reply/response to the show-cause notice nor opened their bank accounts(s)...in PFMS-integrated banks. Therefore, their certificates are liable to be cancelled as per the provision of Section 14(1)(d) of the FCRA, 2010,”

## **c) FCRA registration mandatory for liaison offices**

Until recently, FCRA provisions were not applicable to foreign NPOs with branch or liaison offices in India. FCRA provisions could become relevant depending on the nature of any grants received and disbursed by the foreign office in India. If the branch or liaison office received funds from foreign sources other than the organization’s head office, then FCRA and income tax laws became relevant. For instance, if the branch office of a foreign NPO received a grant in India directly from foreign donors, then FCRA would apply: The branch office must either seek prior approval from the Ministry of Home Affairs for a one-time foreign grant or register with the Ministry for multiple foreign contributions.

However, the Reserve Bank of India’s Notification No. FEMA 22(R)/RB-2016 of March 31, 2016 has been amended on 31st August-2018 such that where approval of the Reserve Bank is required in certain cases for establishment of branch office, liaison office or project office or any other place of business in India and if the applicant is a Non-Government Organization, Non-Profit Organization, Body/Agency/Department of a foreign government, if such entity is engaged, partly or wholly, in any of the activities covered under Foreign Contribution (Regulation) Act, 2010 (FCRA), they shall obtain a certificate of registration under FCRA and shall not seek permission under FEMA.

Organizations seeking registration under FEMA are now also required to declare: “We will not undertake either partly or fully, any activity that is covered under Foreign Contribution Regulation Act, 2010 (FCRA) and we understand that any misrepresentation made or false information furnished by us in this behalf would render the approval granted under the Foreign Exchange Management (Establishment in India of a branch office or liaison office or a project office or any other place of business) Regulations, 2016, automatically as void ab initio and such approval by the Reserve Bank shall stand withdrawn without any further notice”

Stay connected to all legal news and updates as they happen. Follow the CAP Blog.





# Requirement & Relevance of Resolution!

In law, resolution is a written motion adopted by a deliberative body. The substance of the resolution can be anything that can normally be proposed as a motion. For long or important motions, though, it is often better to have them written out so that discussion is easier or so that it can be distributed outside the body after its adoption. (Wikipedia). Here's more about resolutions in the nonprofit context.



## What is a resolution?

Legally speaking, resolution is a written statement created and approved by the board of trustees/managing committee/directors of a trust/society/company detailing an agreed and binding action.

A resolution is usually passed by the governing board by circular or at a duly convened meeting. Certain resolutions are passed by the general body of members at a duly convened annual general meeting or extra-ordinary general meeting.

Although the form and structure of a resolution could vary, it is generally recorded as a part of the 'minutes of meeting' which is a written document that describes items discussed by the member of the board or general body during a board or general meeting, including actions taken and resolutions passed.

One is required to follow all the procedural requirements before, during and after a meeting for a decision (resolution) to be effective.

## When is resolution required?

A resolution would be required or found necessary by not just the regulating authorities but even other stake holders for a number of reasons.

### Regulating or registering authorities would require resolutions for the following:

- Appointment of a new board member
- Accepting the resignation of a board member
- Gift, purchase or sale of immovable property
- Approval of any change in the organisation's constitution
- Approval of audited account and annual report

### Other stake holders would require resolutions for the following:

- Opening of new bank account or change in authorized signatories
- Investment in fixed deposit or any other mode of investment
- Approval of any new policy or change in existing policy
- Approval for receiving or sanctioning a large grant

## Types of resolution

Although resolutions are required for all forms of NGO/NPOs (trust, society, section 8 company), it is only the Indian Companies Act which clearly articulates and codifies various forms of resolutions and their validity or invalidity.

Where NGO/NPOs are concerned, resolutions are either passed at a duly convened board or general meeting or by circular.

### Resolution passed at meeting

When a resolution is to be passed at a duly convened meeting of the board or the general body of members, the proposed resolution is generally circulated in advance along with the notice of the meeting.

For the resolution to be valid there must be a quorum at the meeting. A quorum is the minimum number of members (of the board or the general body) necessary to conduct the meeting. The quorum is usually stated in

the constitution of the organisation (trust deed of a trust or the rules of a society or the articles of association of a company). If the constitution is silent in this regard, the organisation may opt for change in the constitution or define the quorum in a duly approved governance policy.

The resolution may either be rejected or suitably amended and then approved. In most cases a resolution can be passed by a simple majority of those present at the meeting. Those not in favour of the resolution have the right to record their dissent or simply abstain from voting on the resolution. The minutes however, should capture all this information diligently.



## Resolution passed by circular

As per section 175 of the Indian Companies Act 2013: "No resolution shall be deemed to have been duly passed by the Board or by a committee thereof by circulation, unless the resolution has been circulated in draft, together with the necessary papers, if any, to all the directors, or members of the committee, as the case may be, at their addresses registered with the company in India by hand delivery or by post or by courier, or through such electronic means as may be prescribed, and has been approved by a majority of the directors or members, who are entitled to vote on the resolution"

The resolution passed by circulation should be noted at a subsequent meeting of the Board or the committee thereof, as the case may be, and made part of the minutes of such meeting.

Resolutions passed by circulation are deemed to be passed at a duly convened Meeting of the Board and have equal authority/validity.

However, there are certain items of business which cannot be passed by circulation and should be placed before the governing board or members of the general body, as the case may be, at a duly convened meeting.

## Here is an illustrative list of such business:

- Approving financial statements and the Board's Report
- Appointment of auditors
- Approving remuneration of a board member
- Appointment or removal of Key Managerial Personnel
- Approving amalgamation, merger or winding up the organisation
- Any major or important policy change

## Procedure for passing circular resolution

A 'circular resolution' or resolution proposed to be passed by circulation, should be sent as a draft, together with the necessary background or supporting papers, individually to all the members by hand, or by speed post or by registered post or by courier, or by e-mail or by any other recognized electronic mode.

Each business proposed to be passed by way of resolution by circulation should be explained by a note setting out the details of the proposal, relevant material facts that would enable members of the board to understand the meaning, scope and implications of the proposed resolution.

The note should also indicate how the member may signify assent or dissent to the Resolution proposed and the date by which the member should respond.

The Resolution would be deemed as passed when it is approved by a majority of the members entitled to vote on the Resolution.

Under company law, the Resolution, if passed, shall be deemed to have been passed on the last date specified for signifying assent or dissent by the Directors or the date on which assent from more than two-third of the Directors has been received, whichever is earlier, and shall be effective from that date, if no other effective date is specified in such Resolution.

Resolutions passed by circulation should be noted at the next Meeting of the Board and the text thereof with dissent or abstention, if any, should be recorded in the Minutes of such Meeting.

## Breaking Resolutions

While we have discussed at some length how resolutions are made or passed, it would also be appropriate to briefly discuss how resolutions could be 'broken' or rescinded.

A resolution passed at a board or general meeting can be rescinded/revoked/cancelled at a subsequent meeting. At the subsequent meeting reasons should be provided and duly recorded in the minutes of the meeting why the resolution passed at the previous meeting is being revoked. A formal resolution should be passed by majority at a duly convened meeting with the required quorum to rescind the resolution passed at the earlier meeting.

It may also happen that a majority of Board or general body members may change, and the new members may not agree with the resolutions passed by the previous board or general body of members.

In a society, the real power vests in the general body of members and not the managing committee (which is elected by the general body of members) and hence, there are instances of arbitrary resolutions passed the managing committee which have been challenged and revoked by members at general or special meetings.

Finally, there could be certain resolutions which may have been passed by circulation, but, would be considered void because they were required to be passed, either under the relevant regulating law or the organisation's own constitution to be approved at a duly convened meeting of the board or at the Annual General Meeting.

## LEGAL NEWS

### DGHS' Dictate

Directorate General of Health Services (DGHS) under the Delhi government has asked the Directorate of Education (DoE) not to collaborate with any non-government organization (NGO) having international funding without taking an approval from the competent authority. The state tobacco control office of DGHS has especially named Socio Economic and Educational Development Society (SEEDS), saying it has not permitted SEEDS to carry out any such program.

SEEDS had sent a proposal to the tobacco control office for collaboration and provide support for implementing a project in Delhi as it had received international funds under the Bloomberg initiative. "But as the project involves international funding from an international agency and, hence, is a sensitive matter and needs prior approval of competent authority. NGO was asked to provide details of the proposal, approval and funding breakups of the project. But in spite of our repeated requests in more than seven months, the NGO has failed to provide the details of the project," said a circular sent to DoE.

SEEDS, an NGO based in Tamil Nadu, focuses on socio-economic, environmental, educational, health and human rights issues of the downtrodden and differently abled people, especially Dalits and women, in various districts of the state.

## CAP CLASSIFIEDS

### J. Watumull Global Hospital & Research Centre

Mt Abu, Distt.- Sirohi, Rajasthan urgently requires –

**Registrar, Surgery** – M.S./DNB (Gen. Sur.)

**Registrar, ENT** – D.L.O./MS/ DNB (ENT)

**Medical Officer** – MBBS

Salary negotiable, **Contact** – 9414144062 / ghrchrd@ymail.com

**Lab Technician** – DMLT/BScMLT

**Ophthalmologist** – MS (Ophth.) for

Eye Hospital at Jalore

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## MCA seems RESOLVED in its goal to optimize CSR!

**Ministry of Corporate Affairs (MCA), Government of India (GOI) is on the brink of changing its earlier gentle stand on CSR to now ensuring full compliance.**

The Indian Companies Act 2013 requires that two per cent of the profits earned by a certain class of companies must be spent on corporate social responsibility (CSR) activities. According to the Indian Institute of Corporate Affairs (IICA), of the 1.3 million companies in India, **about 6,000-7,000 companies are covered under section 135** of the Indian Companies Act and which means that **an estimated Rs. 27,000 crore should be available for various welfare and development projects** enumerated under Schedule VII of the companies act.

However, even four years since CSR has been made mandatory, Indian companies covered under section 135 are not spending the full two percent of their average profits over the block of three years and hence during financial year 2019-20 companies are likely to witness two major changes in the law governing CSR.

### Two likely changes in CSR compliance:



#### 1) Managing utilized CSR funds & ensuring full utilization

It is proposed that if CSR funds cannot be spent fully during any given financial year, provisions will have to be made by the company to expend the unspent amount within three years.

Ministry of Corporate Affairs (MCA) has proposed that any amount remaining unspent u/s 135(5) shall be transferred by the company within thirty days from the end of the financial year to a special account to be opened by the company in that behalf for that financial year in any scheduled bank to be called the "Unspent Corporate Social Responsibility Account", and such amount shall be spent by the company in pursuance of its Corporate Social Responsibility Policy within a period of three financial years from the date of such transfer.

#### 2) Drawing in new companies under CSR net

It is also proposed that companies which have not completed three financial years should be drawn into the CSR compliance net.

Companies which have not completed three financial years are likely to be drawn into the CSR compliance net with a proposal to add a provision under sub-section (5) of Section 135 that where the company has not completed the period of three financial years since its incorporation, the company having net worth of Rs. 500/- crore or more, or turnover of Rs. 1,000/- crore or more, or net profit of Rs. 5 crore or more, during the immediately preceding financial year shall be required to ensure that the company spends, in every financial year, at least two per cent of the average net profits of the company made "during such period".

This means that if a company in the very first year of its existence has net worth of Rs. 500/- crore or more or turnover of Rs. 1,000/- crore or more or net profit of Rs. 5 crore or more, during the immediately preceding financial year, it shall be required to ensure that the company spends, at least two per cent of the average net profits of the company made during the first preceding financial year in pursuance of its CSR Policy.





### New e-Form CFI (CSR)

In the meantime, MCA has already issued a new e-Form CFI (CSR) to enable companies to file their reply to any CSR compliance Notice received by the company.

Until recently, companies were filing their response physically (in hard copy). This e-Form will now not only eliminate the need to file reply physically, but, it will also centralize all replies and enable MCA to electronically track all responses and take suitable action.



CAP Offers CSR Compliance advisory to companies and corporate foundations.  
Stay connected to all CSR news and updates as they happen. Follow the CAP Blog.

## CAP CLASSIFIEDS

### Seva Sadan Society

A South Mumbai based, reputed NGO working for underprivileged girls and women urgently requires

#### Residential Hostel In-Charge

Female candidate with minimum 15 years of experience to fully manage our 100-girl capacity Residential Home where we provide complete boarding, lodging and holistic upbringing

Successful women candidates can be provided accommodation

#### Accountant

With 2 to 4 years experience in Tally, stores, accounts, bank reconciliations, payroll and vouching. This is a full-time role with multiple areas of accounting and budgeting. This role offers potential to learn finalization of accounts and GST.

Experience in Tally is a must.

**E mail your resume to [krupa@sevasadan.org](mailto:krupa@sevasadan.org)**

**022-23808005 / 022-23889109**

**Maharashtra Dyslexia Association** is a not-for-profit organisation committed to securing the rights of students with Dyslexia (also known as a 'Specific Learning or Language Disability') to an appropriate education.

Required:

1. **Volunteers** at MDA's Deonar Centre for administrative work. Full time or part time options open. Retired & Active Senior Citizens familiar with data entry, basic computer applications are also welcome to apply. Good written and communication skills would be an advantage.

2. **Volunteer** at MDA's Dadar East Centre . Should be able to handle the calls / enquiries, maintain registers, stocks of materials / inventory, supervise administrative staff, and also coordinate between centres. Pre-requisite of written and spoken English, and self motivated to ensure the smooth functioning of the centre. Retired / senior citizens welcome to apply.

3. **Part time Consultant** for help in accounts, cash flow, MIS, budgeting, financial planning for MDA's Deonar Centre. Retired / senior citizen well versed in social sector/NGO accounting preferable.

Looking for space to rent on long lease, approx. 1000 sqft, at Chembur/ Deonar for an NGO working in the field of Specific Learning Disability. Preferably quiet surroundings. Residential building will also do.

**Please email Divya Balgi - [mda@dyslexiaindia.com](mailto:mda@dyslexiaindia.com) or 25565754.**



## Resolve Ensuring Good Governance

In recent years, India has witnessed many scams, frauds and corrupt practices. Misuse and misappropriation of public funds are a regular occurrence in India and globally. It is not just happening in the non-profit sector but majorly happening in stock markets, banks, financial institutions, companies and government offices. Good governance is perhaps the best tool for avoiding financial and other irregularities. The need of the hour is to create a culture of transparency, accountability and disclosure. **Let all of us within the voluntary/nonprofit sector take the lead in ensuring good governance and resolve that the year 2019 will witness enhanced transparency and accountability.**



### What is good governance?

The scope of good governance is wide and varied. It includes both social and organizational aspects. It should be a system by which organizations should be directed and managed. It influences how the objectives of the organization are set and achieved; how risk is monitored and assessed; and how performance is optimized.

It is a system of Principles, Policies, Procedures and clearly defined Responsibilities and Accountabilities. It includes interaction between various stakeholders in shaping the organization's performance and deals with determining ways to take effective strategic decisions and develop added value for all stakeholders.

### Why is good governance necessary?

Donors who now increasingly see themselves as 'social investors' consider good governance as important as financial and programmatic performance when

evaluating NGOs or 'social enterprises' for social or impact investment. Donors and investors who are provided with high levels of disclosure and transparency are likely to invest more openly and enthusiastically in such initiatives.

Good governance ensures transparency which ensures strong and balanced development. It also addresses operational risks and, hence, sustainability for the organization. It is intended to increase the accountability of the organization and avoid disasters before they occur. It requires the governing Board to assume 'social responsibility' and protect the rights of the beneficiaries, employees, donors and all those having a stake in the NGO's activities.

Improved governance structures and processes ensure quality decision-making, encourage effective succession planning for senior management and enhance long-term institutional and programmatic sustainability.

Good governance enables an NGO to compete more efficiently and prevent fraud and malpractices within the organization. Improved management accountability and operational transparency in turn fulfills investors' expectations and confidence on management and effectiveness, and in return, enhances the value of the NGO.

Effective governance also ensures efficient risk mitigation systems in place. A transparent and accountable system makes the Board of an NGO aware of the risks involved in a particular strategy, thereby, placing various control systems in place to facilitate the monitoring of the related issues.

Finally, donor or social investor relations is also an essential part of good governance. Donors and social or impact investors directly/ indirectly entrust management of the NGO or social enterprise to create enhanced value for their social investment. The NGO is hence obliged to make timely disclosures on a regular basis to all its stakeholders.

### How to ensure good governance?

NGO or NPO governance refers to and encompasses all laws, regulations, codes and practices, which defines how the institution is administrated and inspected, determines rights and responsibilities of different

partners, attracts human and financial capital, makes institution work efficiently, provides economic and programmatic value to stakeholders in the long run while respecting the values of the community it belongs.



For effective NGO governance, the management approach should be in accordance with the following principles:

- 1) The organizations should be headed by an effective Board. Responsibilities and accountabilities within the organization should be clearly identified.
- 2) The board should comprise independent minded trustees/directors. It should include an appropriate combination of executive trustees/directors and independent trustees/directors to prevent one individual or a small group of individuals from dominating the board's decision making.
- 3) The board should be of a size and level of diversity commensurate with the sophistication and scale of the organization.
- 4) Appropriate board committees may be formed to assist the board in the effective performance of its duties.
- 5) There should be a formal, rigorous and transparent process for the appointment, election, induction and re-election of trustees/directors. The search for board candidates should be conducted, and appointments made, on merit, against objective criteria (to include skills, knowledge, experience, and independence and with due regard for the benefits of diversity on the board, including gender).

6) The board should ensure that a formal, rigorous and transparent procedure be in place for planning the succession of all key officeholders.

7) Trustees/Directors should be aware of their legal duties. Directors should observe and foster high ethical standards and a strong ethical culture in their organization.

8) Each trustee/director must be able to allocate sufficient time to discharge his or her duties effectively.

9) Conflicts of interest should be disclosed and managed.

10) The board is responsible for the governance of the organization's information, resources (both human and financial) information technology and information security.

11) The board, committees and individual directors should be supplied with information in a timely manner and in an appropriate form and quality by the management team (usually lead by the CEO) in order to perform to required standards.

12) The board, committees and individual trustees/directors should have their performance evaluated and be held accountable to appropriate stakeholders.

13) The board should be transparent, fair and consistent in determining the remuneration policy for trustees/directors and senior executives.

14) The board should be responsible for risk governance and should ensure that the organization develops and executes a comprehensive and robust system of risk management.

15) The board should ensure the maintenance of a sound internal control system.

16) The board should present a fair, balanced and understandable assessment of the organization's financial, environmental, social and governance position, performance and outlook in its annual report and on its website.

17) Organizations should consider having an effective and independent internal audit function that has the respect, confidence and cooperation of both the board and the management.

18) The board should establish formal and transparent arrangements to appoint and maintain an appropriate relationship with the organization's auditors.

19) The board should be responsible for ensuring that an appropriate dialogue takes place among the organization and other key stakeholders. The board

should respect the interests of its stakeholders within the context of its fundamental purpose.

Proponents of good governance say there's a direct correlation between good governance practices and long-term stakeholder value.

#### Some of the key benefits are:

- High performance and deeply engaged Board and Management;
- Accountable management and strong internal controls;
- Increased stakeholder engagement;
- Better managed risk; and
- Effectively monitored and measured performance.

#### Proposed Board Resolutions for 2019

- a) Establish values and governance structures for your organization;
- b) Ensure that all legal and regulatory requirements are met and complied with fully and in a timely fashion;
- c) Establish long-term strategic objectives for the organization;
- d) Establish clear lines of responsibility and a strong system of accountability and performance measurement;



e) Hire the chief executive officer, determine the compensation package, and periodically evaluate the officer's performance;

f) Ensure that management supplies the board with sufficient information for it to be fully informed and prepared to make appropriate decisions and to be able to adequately monitor and oversee the organization's functioning;

g) Meet regularly to perform its duties and with clarity of purpose;



### Fundraising Event by Meenakshi Mission Hospital and Research Centre, Madurai.

"Danse Unplugged" (Multilingual Concert). A 'dance-music' event for the treatment of children with cancer, in association with Academy of Modern Danse & School of Indian Film Music.

**Date: 23.02.2019 (Saturday) / Time: 6 P.M. (Onwards)**

**Venue: Lakshmi Sundaram Hall, Tallakulam, Madurai – 02.**

**Wish to donate? Kindly draw Cheque / DD in favour of "Camila's Children Cancer Fund – S.R.Trust".**

Contact: Department of Resource & Development, Meenakshi Mission Hospital and Research Centre, Lake Area, Melur Road, Madurai – 625107.

Mob.No: 9626608191, 9865455005, 9865204646. Email: charitymeenakshimission@gmail.com.



# Prevention of Sexual Harassment – A Good Employer's Resolutions For The New Year

## Sexual Harassment Law: Objective and Implementation

Two questions loom large whenever the issue of Sexual Harassment of women at the workplace comes up: one, the fact that it is not only women who get sexually harassed and that they can be perpetrators too and second, the question of alleged misuse of the law. The myths regarding sexual harassment are so dominant that they drown any discussion on the same. So, any article on the same really needs to answer these questions.

Studies have shown that men also get sexually harassed but the numbers are much lower, and most are harassed by men. A study by Indian National Bar Association (INBA) in 2017 found that 22% of all victims of sexual harassment are men which is a significant number. While the study is silent on the gender of the perpetrator, figures from international studies shows that approximately 80% of the perpetrators in male sexual harassment are also men.

The other myth that the INBA study bursts is that victims come in all sizes- all age groups from children to older people and all socio-economic strata. With regards false accusations, there are no studies on the same in India but international figures on sexual assault law show that false complaints are between 2 to 10 percent.

On the other hand, the INBA study shows that there is gross under-reporting of the act, with 68% of the victims stating that they have not reported the same to the authorities for fear that there might be retaliations and repercussions and that there might be sympathy for the perpetrator instead of the complainant. Thus, very few women approach the authorities for redress and there is no data to show out of the women who approach how many receive justice.

**The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013** was enacted to provide a safe working environment for women. Sexual harassment can lead to serious mental

## What a good employer should do? Resolutions for the new year!

- ✓ If you have more than 10 employees which includes casual, contract, temporary workers or interns, students then you have to set up an Internal Complaints Committee (IC)
- ✓ Publish prominently the details of the IC on your notice board and website
- ✓ Have regular gender sensitization programmes and sexual harassment training programmes (at least one every year) for the employees
- ✓ Have your ear to the ground and keep track of subtle forms of discrimination and harassment. Encourage people to speak up against any injustice
- ✓ Take prompt action. Send the complainant to the IC for remedial action
- ✓ A complaint of sexual harassment does not reflect on you as an employer. What you do about it reflects on you.
- ✓ Ensure that there is no loose talk or speculation. Protect the rights of all the parties and do not allow for victimization and retaliation
- ✓ Ensure that due process is followed in the dispute resolution mechanism with both sides having full and fair opportunity to prove their case
- ✓ Failure to prove a case is not a false complaint. Inspire confidence in your employees
- ✓ Try to address the underlying issues which led to the problem
- ✓ Ensure there is complete confidentiality
- ✓ Send the details as required by the law to the District Officer every calendar year for compliance with the law. No names to be mentioned in the same.

and physical health repercussions on women apart from vitiating the work environment and promoting sexism and discrimination. But why employers need to take it even more seriously is that it affects productivity. A US Federal Government report prepared approximately twenty years ago, found that sexual harassment cost the government about \$267 million in turnover and lost productivity over two years. Thus, it is in the employer's interest to sustain a work environment which is sexual harassment free or for that matter free from all forms of harassment and discrimination.



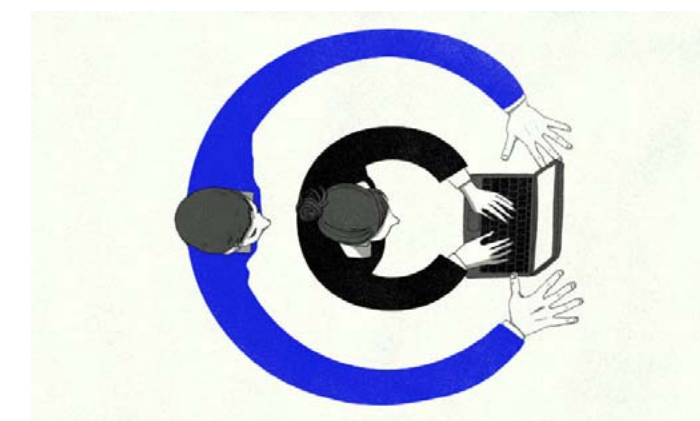
## Does the law adequately address the issue?

The Act is designed as part of labour laws and takes disciplinary action against the respondent extending from warning and apology to termination. The employer's responsibility extends to providing a safe work environment, conduct sensitization programmes, setting up of an Internal Complaints Committee where there are more than 10 employees and facilitating a fair mechanism of dispute resolution where one arises.

**A good way to deal with disputes is** to not look at them technically but in the spirit of the law. The few judgments that have been delivered look at the issue seriously but without compromising the rights of the respondents. The principles of natural justice that guide the process of the enquiry require that both sides be heard by an impartial authority. It is very important that the committee members be free from bias. In my experience this is the greatest challenge especially in small organisations where everyone knows each other and take sides. Also, some members come armed with the dominant myths relating to sexual harassment and some believe that the man deserves to be condemned unheard. Both the positions ultimately lead to the weakening of the law. It is very important to understand

that one is performing a quasi-judicial function and has to maintain a balanced approach. Sometimes power differentials work against the parties and the organization takes a cynical approach as to who is dispensable, and justice is a casualty. This also sends a clear message to the employees about outcomes of future grievances.

The law though not perfect tries to protect women. But the redressal aspect is emphasized and not the prevention and protection aspect. Women would rather not get harassed than have to file a complaint. Many a time when the complaint is filed, it might seem not very serious or falling within the strict parameters of sexual harassment. Does it mean that the law is being misused? No. There is an issue which could relate to other forms of discrimination and harassment which are not being addressed and maybe there is no avenue for its redressal within the organization. In such cases, the complaint can either be rejected on technical grounds or the employer/ committee can look into the underlying causes for the dispute and address the issues. The latter will lead to a more conducive work environment. If the employer finds that the discord in the organization is due to the other forms of harassment, then the employer can frame appropriate policy to deal with it. This will lead to a good working environment where employees are treated with respect irrespective of their status in the organization.



**Contributor: Monica Sakhrani** is a lawyer and trained professional social worker. She has been involved in the drafting of the Sexual Harassment of Women at the Workplace (Prevention, Protection and Redressal) Act and is member of several Internal Committees and has handled many cases. She has just completed her term as the Chairperson of the Local Committee, Mumbai Suburban.



# This New Year – Strategies to Plan

Developing a strategic plan can be a fairly exhaustive exercise but when done well it is worth the effort. Here are answers and solutions to Strategy & Planning questions every nonprofit has.



## When is the ideal time to review a strategic plan & goals? How often would you recommend?

Regardless of the size of the organisation it's important to focus on the strategic planning process itself, ensuring that staff have ample opportunity to collaborate, question and contribute to the plan. For the strategic plan to become a living document people need to have bought into it. And once they do, this strategy should drive the organisation's goals. It's important to regularly review progress against goals and determine if and how well these goals have been achieved. But unless something fundamentally changes in the environment or the assumptions the plan rests on, its adequate to review the plan annually and undertake an in-depth planning process every three years.

To use a simplistic example: an organisation's strategy is to improve retention in school by improving school infrastructure. One of their goals may involve activating the School Development and Monitoring Committee (SDMC). Each month there would be a number of activities and engagements by staff to motivate and involve SDMC members. Each quarter they may choose to measure how active the SDMC is and the extent to which infrastructure improvement works are undertaken. An annual review would involve checking if these activities are having the desired result of improving infrastructure. But the strategy of whether organisation should spend its time and resources on activating SDMCs or choose some other method to

improve infrastructure does not need to be open to debate each year.

## Where do compliance aspects fit into strategic planning and what factors should be taken into consideration when building a strategic plan?

To begin with, an organisation's vision and mission must be aligned with the organisation's constitution. The strategic plan then becomes the roadmap that ensures that the organisation is working towards its mission. Many organisations now use approaches such as logic models, Theory of Change and Stakeholder mapping to detail how they expect their programs to work. All of these work in different ways but are very useful in understanding linkages between activities and expected outcomes, exploring assumptions, identifying gaps and of course prioritizing. If your organisation, for example, works with children but you have chosen not to work with parents and address the vital role their parents play, it is important to at least acknowledge how this will influence your expected outcomes.

Two additional aspects, that organisations should address in their planning exercise, are selecting indicators to measure progress and planning how to communicate the strategic plan throughout the organisation.

## What level of evaluation should an organisation work towards?

Regardless of the size of the organisation we all have a responsibility to use limited resources in the best possible way. Even an organisation that is unable to undertake program evaluation should invest time and effort in identifying outcome indicators. Indicators are just that – an indication that something is or is not happening. And it's vital to ensure that your indicator is in fact helping you measure the change you are expecting. Attendance at a self-help group meeting may be a good indicator to track whether a habitual substance abuser has remained in treatment but not necessarily identify who is at a higher risk of relapse.

Organisations often commission evaluations to showcase that their programs are working. But good evaluations help organisations understand what is

working and why, and enable organisations to make decisions with regard to how they should invest their resources and efforts.

## What advice would you have for (strategy and evaluation) for organisations that may not have a dedicated person to gather and analyse the information?

We live in a world surrounded by data and information. Whether it is checking movie ratings, popularity of social media posts or choosing the best mobile service plan - we are all quite comfortable using information in our daily lives. Why not extend that to our work as well? Thankfully there is technology available today that makes information accessible even to the most novice users. You don't need complex data analytics to help you assess whether your programs are working – just a commitment to using evidence and a desire to learn.

Imagine you sign up for a 10k run. You chart up an exercise and diet plan to help you prepare (your strategy). There is enough you can do yourself to check whether you are on track in your preparation (your indicators) and whether you meet your outcome (you are probably aiming to complete the 10k and perhaps do it within a particular time). Sure, a personal coach and gait-assessment technology may help you prepare but only you can get yourself over that line.

## How should an organisation tackle a team that is great with programme but uncomfortable working on evaluation?

Most of us choose to work in the development sector because we want to make a difference. And often it's difficult because the problems we see seem so insurmountable. Measurement and evaluation are the tools that help us make that difference. When evaluation processes form an integral part of a program design, they become a natural extension of our work.

One of my favourite examples is of a nurse I worked with at a child care home. Each day she'd check the health status of the babies and rush around trying to isolate the sick ones from the healthy ones, making sure they were all comfortable and well cared for. She didn't need someone to tell her about health indicators

and how to calculate '% of sick days'. What she needed were additional hands to help her! And the information she was collecting was in fact able to provide that much needed respite. Soon she was able to assess which babies needed the most attention, plan for frequent bouts of illnesses and anticipate medical care needs. It was all information she needed to focus her efforts and do her best for the babies in her care.

## Sometimes organisations are resistant to change by one or more leaders. What suggestions would you have for them?

Leaders should focus not on driving change but enabling it. The first step is to systematically plan for change and understand how it will affect people at various levels of the organisation. Often the same people that are resistant to change respond with enthusiasm, innovation and create solutions given the right encouragement and clarity of purpose.

## What happens when an organisation realises that their vision, mission work is no longer aligned to their original constitution?

Every registered organisation, whether registered as a trust, society or company, is required to operate within the framework of its constitution and the objects enshrined there under. Any deviation would be a breach and could invite penal action, from loss of tax exemption to a fine or even de-registration. Thus, if the Board desires to revise its vision and mission it must be in sync with its constitution (trust deed or the Memorandum of Association) or else the Board must go for an amendment by following due legal process. Change to the objects must be a Board Resolution and in case of a society or company, also a General Body Resolution and the registering authority (charity commissioner or registrar of societies or companies) must approve the same. Change in objects would also require approval of the Income tax Authorities.

## What's the one resolution each organisation can make to keep their strategy /evaluation plan up with the times?

To do less, measure it and do it well.

*Contributor: Manije Kelkar is an independent consultant who advises organisations on strategic planning and creating cultures of accountability. Having worked with nonprofit organisations in Mumbai, Bangalore and Hong Kong, she is cognisant of how culture and context shape organisations. She combines the rigours of research methodologies with practical solutions to help organisations become more outcome focused.*





Clarity, consistency and being concise. That should be the focus of any and every communication within your organisation. Internal or external.

01

02

Resolve to keep your phone off the table, off during meetings. Maintain phone etiquette by not sending unnecessary forwards, irrelevant messages.

Be social but don't restrict it to social media alone. Meet up, face-to-face time is better than face time.

03

Point of a presentation is give people your facts and opinions. Come across as a presenter that they haven't seen before. Start with a provocative statement or question. Personalise your presentation.

04

Eliminate communication of the 'I am busy' excuses. Everyone is multi-tasking and working hard. Make time, prioritise and work smart.

07

Make time to build your brand in the New Year. We usually think about branding as a term in marketing and advertising that involves huge budgets and celebrities. But it is an easily and simple achieve. All you need to do is focus on standardisation.

08

Move, motivate, inspire and get the other person to be interested in what you are talking about. Flip the communication equation. Think of what the other person wants to hear, instead of what you want to say to him.

05

Be insightful to embrace data as a means to telling your story and gaining greater insight into the outcomes of your work. Remain meaningful to give your followers and stakeholders a reason to believe in your cause.

06

10

Only have meetings that need to be called. Ensure you have a realistic, agenda, with an objective in mind of why the meeting is held. Keep the meeting focused on only the agenda, start and end on time.

Connect and Stay connected. Don't neglect the little things that build relationships. Connect with the person more than the professional. Help people when you can. Make connections for others, both online and in person.

09

Appreciate and be grateful. Say thank you for the small gestures that make your work a better place, send notes of appreciation, personally wish on occasions.

11



## Cheque book philanthropy should stop!

The healthcare sector gets the lion's share (32%) of CSR funds, evidently following Maslow's Hierarchy of Physiological and Safety Needs (food, clothing, health, employment etc). However, there is considerable scope to ensure that the CSR spend benefits the nonprofits in a better manner by having a relook at some of the following restrictive policies and thoughts of the donor organisations.

### 1. Funds for CAPEX:

While CAPEX funding is important, it is equally important and critical that the donor looks at a mid to long term support to ensure on-going needs of repairs and maintenance of both equipment and building.

### 2. Funds for the poor or rural areas only

Healthcare is required by all irrespective of the economic background and is the right of every citizen. By exclusively focussing on rural poor, many of the urban poor and projects in urban locations are overlooked.

### 3. No OPEX

On the one hand most funding partners want projects to be executed with professionalism but at the same time expect it to be executed at less than 5 to 10% administrative cost. This includes salaries which today is a high expenditure line item if one wants quality and professionals who add value to the project.

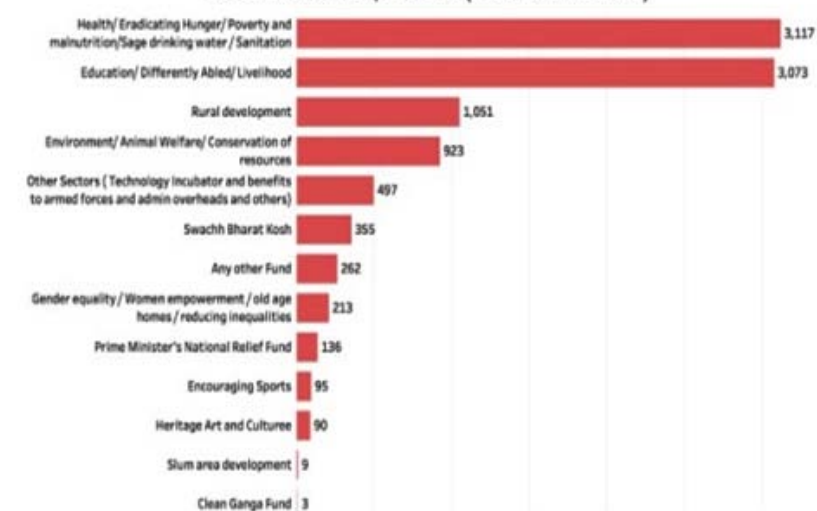
### 4. Professional development of personnel

There is a constant need for skills up gradation of personnel through educational options; training and attending conferences, seminars and CMEs.

### 5. No R & D

Funding for R & D is given only for large R&D organisations. There is a lot of scope in organisations with a large service component for R&D projects within their areas of work.

Sector wise CSR expenditure (2015-16 in Rs Crore)



### Way forward

For effective CSR implementation, firstly, there is a need to craft an industry-specific CSR mandate by setting weightage to important areas such as healthcare broadly and down to specifics. Then the funding partner needs to be invested in the program for the longer haul to realize the impact. Thus, sustained efforts from an NGO and investment of time, effort and money from the funding partner, goes a long way in removing cheque book philanthropy.

Belonging to the blood banking and allied sector (organ transplant and tissue bank), organisations like ours require upgradation/replacement of equipment, maintenance & R & D activities for which we look at funding partners. The clarion call to the organisations is to know us & support us to sustain the impact of more than 60,000 patients being benefitted year on year? Anyone?

*Contributor: CAP Affiliate Ravindra C, Manager, Strategic Partnership, Bangalore Medical Services Trust (Rotary TTK Blood Centre). CAP is happy to have readers share their thoughts and send in articles on issues they feel strongly about. The opinions expressed in this article are those of the contributor.*



# ASK THE EXPERTS



## LEGAL

Recently, we had opened a new current account with a well-known private bank. This is the 3rd account with the bank of the same trust. We wanted to transfer an amount from one non FCRA account to another non FCRA account. However, we made an error by drawing a cheque from FCRA account to new account and we requested the bank to reverse the entry. They are trying, but it seems difficult since they can only make inward entry of foreign funding.

Wanted to know what could be the way around? Should we write to MHA with reference to this?

**A** Writing to MHA will not solve the problem. Only solution is for the Bank to reverse the entry. You should give the Bank a letter in writing explaining this was an error and should be rectified. Tell the Bank that you would even be ready to sign any other documentation or provide an affidavit in this regard if they want. If this is not rectified it may lead to minimum penalty of Rs. 100,000/- to compound this offence.



## FINANCE

I have a query relating to rotation of auditors u/s 139 of the Companies Act. Is this restriction on appointment/ reappointment of auditors for one/ two terms of five years mandatory to a sec 8 company?

**A** Ministry of Corporate Affairs (MCA) had come out with Companies (Audit and Auditors) Second Amendment Rules, 2017 ('Amendment Rules') Vide Notification dated 22nd June 2017. Whereby, MCA has amended Rule 5 (b) of Companies (Audit and Auditors) Rules, 2014 ('Rules'), which gives relief to private companies with paid up share capital of below Rupees fifty crores, from the applicability of rotation of auditors under section 139 (2) of the Companies Act, 2013.

Thus, if your company is incorporated as a "private company" with license u/s 8 and has share capital below the given threshold, Section 139 would not apply.



## BOARD GOVERNANCE

How many Trustees have to sign the Resolution? The two who were at the meeting or all three? Our Trust Deed says any two of the three Trustees need to be at a Trustee meeting. But it doesn't specifically mention anything about Resignation and Appointment.



First see if your Trust Deed states anything regarding quorum at a meeting, whether a vote of majority is adequate etc. If the trust deed is silent, the two trustees who were present at the meeting may sign the resolution.



## COMMUNICATION /REPORTING

We want to understand if we need a Privacy policy to protect privacy of our users (data subjects) on our website.



This concerns how your own website gathers, stores, shares (including sell) data about your visitors or those on your data base. This data typically includes items such as a user's name, address, birthday, marital status, medical history, and consumer behaviour. Most countries have their own set of guidelines regarding what information is eligible for collection, and how that information may be used. The European Union has come out with GDPR, India is in the process of developing one very soon.



## STRATEGY

Q - Our organisation wants to change the name of the foundation and objects in the Trust deed. What steps do we need to take?



Once the Charity Commissioner approves the change in name and the objects you should:

- Apply for rectification of name in your PAN & TAN
- Reapply for registration u/s 12A of the Income tax within 30 days (This has been made mandatory by Finance Act 2017)
- Apply to MHA within 15 days in online Form No. FC 6 regarding change in name and objects
- Change name on all your Bank accounts



## FUND RAISING

Our NGO is making a documentary film which will feature our journey of 50 years and cover its 3 major activities (Education, Medical and Poverty Relief. If supported by a corporate would be considered as CSR support for that corporate if they give us funds?



Regret this would not fall within the framework of Schedule VII of the Indian Companies Act 2013. However, the company can always sponsor or underwrite expense for this film using non-CSR funds, including from its PR or advertising budget.



## HUMAN RESOURCES

As an NGO we have been giving our office staff (a secretary, and an office boy, who has been with us for more than 20 years) a one month's salary as Ganpati/Diwali bonus but from the past two years and only because the going was good, we have given them 10% and 12.5% of their annual income (which when calculated amounts to 11/2 months' salary)

We would like to know what the general norms of bonuses for an NGO is and if we can give them amounts on the basis of their performance throughout the year.



Payment of bonus is mandatory for every establishment hiring 10 or more persons.

The threshold wage limit for eligibility is Rs. 21,000/-.

Bonus must be paid within 8 months of the close of the financial year.

Bonus per cent must be determined by employer.

Minimum Bonus should be 8.33% of the basic salary earned through the year and up to a maximum of 20% as per law.



## VOLUNTEER MANAGEMENT

Are volunteers covered under the POSH? We are only 7 employees. Sometimes we get interns from Law and other colleges and especially girls.



Under Section 2(f) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redress) Act 2013:

"Employee" means: a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage

basis, either directly or through an agent, including a contractor, with or, without the knowledge of 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**.

"On a voluntary basis" or "without remuneration" implies "volunteer" and "trainee" or "apprentice or called by any other such name" would cover "intern" as well.



## CORPORATE SUPPORT

Our company wants to give a well-known hospital a donation of 2 crores. Can it be accounted as CSR?



CSR activities should be undertaken by companies in project/ programme mode. One-off events such as marathons / awards / **charitable contribution (donations)** / advertisement / sponsorships of TV programs etc., would not be qualified as part of CSR expenditure.

The hospital could submit a proposal as project proposal for a grant, to the company.

*Disclaimer: Compliance is organisation specific, and subject to change. Therefore, it is best to read what the Centre for Advancement of Philanthropy (CAP) has elaborated here as a broad and generalised note. Consultation with the experts at CAP is recommended for your organisation specific legal or fiscal issues.*

*Where legal issues are concerned, there is no standard response or solution that serves all.*

## compliance

This was the COMPLIANCE section of our newsmagazine.

## connect

From this issue, we have dedicated a few pages each issue for NGOs to CONNECT their causes with our reader audience.

We thank our affiliates V Care, GREAT Foundation and Conservation Action Trust for promptly and enthusiastically sharing their stories.





I believe that rather than making big promises it is always better to carry out small deeds. So, my new year's resolution is simply changing things where I know and go wrong and trying to do things right. My resolution last year, when we re-started the magazine was to have everyone contribute, not just senior management or those who carried heavy designations and am glad to see that's happening.

A personal and sincere heartfelt thank you to all who took the time and effort to contribute to this article. To those who didn't – try to take time out for the little things, try do think out of the box and out of your comfort zone. Let's not get so caught up with the work. Resolve to have fun and enjoy!!

**Meher Gandevia-Billimoria**



1. Make my one Resolution last beyond 2nd January 2019
2. Make my one Resolution work for me instead of me working to make Resolutions year after year.

And ... so what is my Resolution?  
To focus only on what matters and let nothing else matter to me!

**Noshir Dadrawala, CAP**

I will spend more time at the grass root level because to effect real change, you have to dig deep and sadly, virtually the entire world is going in the wrong direction.

I will be that board member who will point out the elephant in the room.

**Bahram N Vakil, AZB & Partners**



I will impress on at least two NGOs that

1. Small is not always beautiful.
2. The right time to put systems and processes in place is when one is growing.

**Farrokh Jijina, Independent Consultant**

There's a resolution I make every year, on the 2nd - or more often on the 3rd or 4th of January - and of course, it's to lose "x" kilos of weight. Who can possibly in their right mind make such a resolution on the 1st of January? Impossible! This year, I hope I can implement on that resolution for more than ten days!!

More seriously, I have a big work-related goal for next year - one is to think about a BHAG (Big Hairly audacious Goal) to work on in Chakan, Khed Taluka - the area where our new manufacturing facility lies. I have some thoughts and ideas but would need to crystallise one of them and work towards that, getting off the ground in 2019. Stay tuned in the first quarter of 2019 to know what that goal is, and how I am actioning on it!

**Rati Forbes, Forbes Marshall**

Honestly I am a bit blank on resolutions and gave up making them a long time ago. Other than fitness goals I would like to spread the message to more people that there are hundreds of incredible non-profit organisations doing great work and there are various forums through which to find out about them.

**Tina Vajpeyi, Finance Consultant**

Learn to say 'NO', creatively!



**Shweta Pandharkar,  
Freelance Graphic Designer**

I am going to do a 55 Km Walk in South Goa to raise funds for children with developmental disabilities.

**Gopika Kapoor, Ummeed**



I will do daily morning exercises or yoga to get fitness and activeness in my official and personal work.

I will prepare us to conduct post adoption workshops independently with more knowledge.

**Chhaya Pawar, BSSK Aurangabad**

To spread the Love of Reading as the next major religion in 2019.

To be a good leader to my three-person team of Me, Myself and I.

To grab my megaphone and beat down each door to raise funds.

**Megha Dharnidharka,  
Adhvan**

I will find new solution to complete my past year's resolutions and then I will make new resolution for this year.

**Datta Adhav, Chief Accountant,  
Avatar Meher Baba Trust**

Learn to be Bossy ... at least sometime.  
Walk up to the state to let them know ... what our children and youth know.

**Pramod Nigudkar, CEO, MelJol**

V Care Foundation is in its 25th year and would like:

- To make every person touched by cancer stronger in his or her will to conquer cancer.
- To make them believe that nothing is stronger than them.
- Everyone (patient/caregiver) who come to V Care goes back with a smile.

**Vandana Gupta, V Care Foundation**



Promise not to be the last to go for lunch.



**Sarah Thomas,  
Aseema Charitable  
Trust**



I will talk less and listen more. I will preach what I practise.

**Maharashtra Dyslexia  
Association**

- Have enough sleep
- Concentrate, focus few minutes to plan day ahead
- Habit of prioritising work
- Solve problems from the root
- Habit of keep on learning new things
- A review of the day
- Exercise / Physical fitness

**Chandrakant Koticha, Executive  
Trustee, Saurashtra Medical &  
Educational Charitable Trust**



To be prepared for the 3Cs—Challenges, Changes and Chances  
To have a cup of tea  
STRESSFREE  
To live a LIFE without MOBILE  
To make LAUGHTER as the BEST Medicine

**Latika Soneji, Project  
Administrator, The  
Foundation for Medical  
Research**



I will be giving 100% for my own project direction skills  
I will lose weight by 20 kgs  
I am going to move around for fundraising

**Dr Ninad Salunkhe, Chief Operating Officer, Apnalaya**



"NO" means Next Opportunity!  
Prevention and Cure of Disablement is the additional focus for all NGOs working in rural India.

**Zelma Lazarus, Founder Director, Impact India Foundation**

We will foster effective partnerships and continue strengthening our work for better rural livelihoods and wellbeing.

**Ambuja Cement Foundation**



I will stay in the background and allow others to work out their own ideas and solutions. (Ladies, do remind me).

**Kate Currawala, Maharashtra Dyslexia Association**



I will be that consultant who tells a CEO that s/he doesn't really really mean it when they want a "good board" - what they mean is someone who will get them money.

**Aarti Madhusudan, Founder, Governance Counts**



I keep meeting new people and forgetting their names after. When they meet me again at some conference, I greet them with a faux-enthusiastic "Hi buddy!" and ask leading questions while I desperately figure out who they are. In the new year, I plan to remember at least 80% of my new acquaintances.

**Akhil Shahani, Managing Director, Shahani Group**



We will post updates on Facebook more regularly"

**Team Aseema Charitable Trust**



I don't normally make resolutions, though I do have ideas and make plans for the coming year! I will meet at least one person a month, not in my day-to-day circle, to renew contacts and widen my knowledge.

I am the current Chair of Sense India - which has a wonderful programme serving children and adults nation-wide who are deaf and blind. RESOLUTION - Ensure a smooth transition to a new Chair and a refreshed Board.

**Murray Culshaw**



To call myself a "development professional" more often.

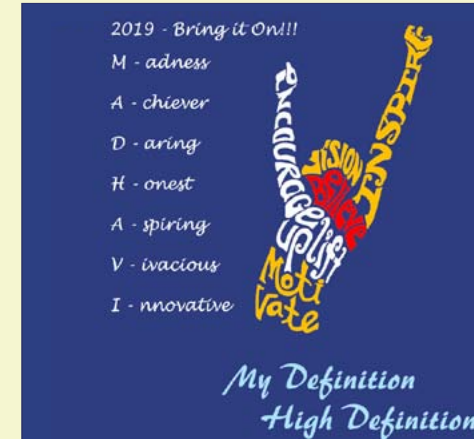
To have some food other than samosa pav for community meetings.

**Adwaita Banerjee, Youth for Unity and Voluntary Action (YUVA)**



Really interesting!!!  
Would love to share ours at Givfunds - "to give 100 impact investments".

**Edward, Givfunds**



**Madhavi Jayprakash Talekar, HR Manager**

Challenges can be surmounted with willing co-operation from all sections of our society and with a spirit of contributing our mite for the future generation. Our Trusts' objects of granting financial assistance to students is to broaden their academic interests and in turn benefit the Nation.

**R. D. Sethna Scholarship Fund**



My Professional Resolution is - Three Simple Rules for Mistakes. Firstly, correct the mistake whenever it is possible. Secondly, don't repeat the same mistakes. Thirdly, learn from past mistakes.

**Sonu Daga, Social Entrepreneurs Foundation India**



I shall take my work home, but not to bed.

**Ruby Kamdin, Director, One Billion Literates Foundation**



We will GERMinate new ideas for hygiene awareness.  
We resolve to wash our hands off dirty office habits like taking selfies.  
After making soap we should not slip on our distribution targets.  
We will smile at hotels that give us their waste soap as gifts/donations.  
We will spread more awareness and less germs  
We will do a thorough vetting of our reports and foam clear points.

**Team Sundar India**



Make all the children self-reliant and instill self-confidence.  
Emphasis on equality between all.  
Encourage them to make a change for a better life.

**Bal Jeevan Trust**



I will not treat the monthly report as a quarterly report.  
I will not check my personal FB profile while uploading posts on the official page.  
I shall remember to use the reminder application on my phone.

**Nivedita Mishra, Communication Manager, Gunvati Jagan Nath Kapoor Foundation**



When boss fires me I will smile and make boss smile, so he/she can be at ease.

I will also say to boss pls cool down Sir, as it is injurious to your health. Will say also sorry with a smiling face. Can you?

Whenever I want to change a topic of discussions, I will say what is time now?

And I succeed any time anywhere. Try and see the result. Experience speaks a lot.

Whenever I don't agree I will say respectfully that I agree with you that I disagreed. Sorry.

After entering boss chamber, I will say may I come in....& will laugh....& will say sorry I have already entered and making him to laugh seriously. Sorry Sir.

Pls note that undersigned is not responsible for result of above consequences in exercising during your serious interventions.

Always laugh seriously.

Please Walk slowly fast

Please Speak softly with loud voice

Please use vehicle's horn without sound

Please close eyes and see

Please walk in standing position

Please speak when you are speechless

**Chandrakant Koticha, Executive Trustee, Saurashtra Medical & Educational Charitable Trust**



I will stop singing lullabies to my team in office.  
I will continue to talk about climate change  
I will stop wasting paper, except on PILs.

**Debi Goenka, Conservation Action Trust**



**Luis Miranda, Member of Various boards**



Our children with hearing loss already "Listen & Speak". Now we will strive to enable them to "Listen & SING"

**Aziza Tyabji Hydari, The AURED Charitable Trust**

Rebuild momentum in the Adoption space and create more happy families! Bring in gender parity at locations, currently bahut na insaafi hai!

**Catalysts for Social Action (CSA)**

I will avoid checking my teenage daughter's phone when she is not around.  
I will not frown when my 70-year-old mom wants to look fashionable.  
I will stop pretending to work when my boss is around.

**Mamta Shetty**

Understand the new and emerging trends in the fund-raising space and try to maximize strategies in the ever changing non-profit landscape

**Team Aseema Charitable Trust**

I will

- understand, create and implement a Succession Plan at GVF (i know it's tough)
- work on the Implementation of an online information system for G V Foundation and ALL stake holders (I'm hoping others will keep their promise coz we do not have the money lol)
- continue to work on raising larger chunks (Rs 5 lakhs and more) for a general fund.
- identify and network with institutions in locations other than Mumbai - i did not mean Navi Mumbai and Thane :)
- increase number of volunteers with well defined roles in social media strategy, data collation, resource mobilization (they are far too clever for me)

**Percy Ghaswala, Founder Trustee, Ghaswala Vision Foundation**

Be a professional in all the roles I play in life. Plan each day and letter it. Avoid conversations with people who are time guzzlers. Do what I am passionate about. Spend more quality time with family.

**Judith Anne Fernandes, Finance Team, Teach to Lead (Teach for India)**

Since our WASH platform is now live, we resolve to get our shit together. We won't reuse and recycle plastic because we shall not use plastic.

**Team Samhita**

I will not look at every single person as a prospective donor or buyer of our products.  
For our 75 years, I will resolve to do 75 push-ups a week at work.  
I will not go to my CEO's desk and steal chocolates after lunch.  
Avoid having more than two cups of coffee in the morning to look awake.  
I will not distract the therapy dog.  
I will finally jump on the trampoline after school hours.

**Team at Jai Vakeel Foundation**

A CEO sighed "I failed as a leader when I bartered my integrity and intellect with the gossip monger's grapevine story and lost my gold - my diligent personnel".

"I will never compromise on my principles to reach the top, because I just love the fact that I sleep like a baby at night".  
The best boss is one who minds his own business and that of his organisation.

**Sameena Bilgi, Patience Guidance Manager, Gunvati Jagan Nath Kapoor Foundation**

I resolve never to make any more resolutions.

**Rashna, Public Concern for Governance Trust**



**Ekam Foundation Mumbai**

Our resolution for the new-year and the coming years is compliance today, tomorrow and forever. As Ahura grows implementation of governance reforms is our top priority. Strengthening human resource to ensure working in tune with the mission and vision statements will be done in a finite period of one month.

**Team Ahura Support**

Our new year resolution will be to raise awareness about the variety of issues women and girls in India experience which do not raise up and improve their lives. Issues such as education, menstrual awareness, safe sex, contraceptive use and safe birth practices, and domestic violence.

**Institute of Health Management Pachod**

I'll make sure to listen more - not to people, but to music, birds, maybe even audio books!

**Manije Kelkar, Independent Consultant**

We are going to focus a lot more in the coming year on content to help our NGOs raise donations from individuals. It's our goal to share with NGOs the importance of raising donations from individuals and how they can do it.

**Dhaval Udani, Founder & CEO, danamojo**

I will keep my desk & files (Both table & PC) organized.

**Mrinal Badawe, IDEA**

Seva Kitchens Neki Ka Pitara in each and every School in Nagpur. A project where where children in affluent schools fill it up with milk, biscuits and then share it with children in Anganwadis.

**Khushroo Poacha, Seva Kitchens**

To do something better than before by finding new hope every new day.

**Ravikiran Patil, IDEA**

I promise to be punctual and to speak-up where necessary.

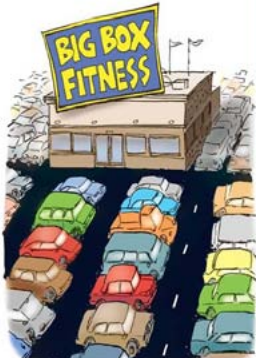
**Geetanjali Deshmukh, IDEA**

**2019**

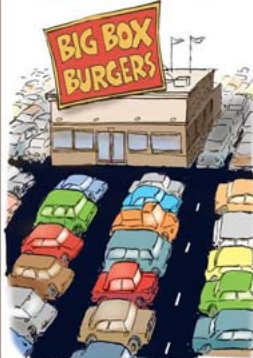


# RESOLUTIONS

Day 1



Day 2...



"Have legal see if there's a way I can make my New Year's resolution retroactively."

## NEW YEAR'S RESOLUTIONS...



## The Back Pew - Jeff Larson

Hrrmmff.. this year is going to be **ZERO FUN!**



I've got those New Years Resolution Blues

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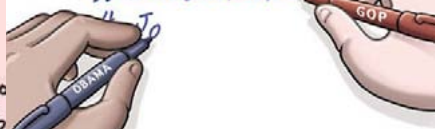


I think I made too many New Year's resolutions this year. It took me almost a full day to break them all.



## New Year's Resolutions

1. ~~Minimum Wage Increase~~
2. ~~Immigration Reform~~
3. ~~Gun Control~~
4. To



"We need to form a conflict-resolution team to settle the dispute over who should be chosen for our conflict-resolution team."



"Everything looks in order, although this New Year's resolution is a tad odd."