



ANTI-BRIBERY AND CORRUPTION POLICY



Revision Year - 2022



SOLAN, HIMACHAL PRADESH, INDIA-173229

ANTI-BRIBERY AND CORRUPTION POLICY OF SHOOLINI UNIVERSITY

PREAMBLE

The university's Anti-Corruption Policy was developed in accordance with the Code of Conduct, policies, rules, and regulations adopted in addition to the legal and statutory framework of Anti-Corruption Legislation prevalent in India.

The Policy reflects the university as well as its management's pledge to preserve ethical principles and conduct an open and fair system in the interest of expanding the educational and organizational culture, adhering to the best practices in the field of education and enhancing the reputation of the organization at all appropriate levels.

OBJECTIVE

This policy aims to set up controls to guarantee adherence to all applicable anti-corruption and anti-bribery regulations and to make sure that the Organization's affairs are conducted in a socially responsible manner.

POLICY STATEMENT

Corruption refers to the misuse of authority for private or public advantage.

To get someone to do something dishonest or in defiance of their better decision-making, bribery occurs when a fraudulent gain is offered, stated, given, approved, or solicited. A bribe is any form of improper payment made to obtain or maintain operations, contractual, regulatory, or personal favour.

We insist on maintaining the highest standards of integrity in all of our dealings. When it comes to bribery and corruption, we have absolutely no tolerance. We are dedicated to conducting business with the highest levels of professionalism, fairness, and honesty in all markets in which we operate, and to developing and executing robust anti-bribery policies and procedures worldwide.

AIM OF POLICY

The Policy's purpose and goals are to:

- a) provide a framework for minimising the impact of bribery and corruption on the Organization's operations.
- b) To inspire vigilance and good faith among staff members.

- c) Keep an eye out for instances of possible corruption and look into them thoroughly.
- d) If someone is found to be corrupt, they will be met with swift and severe punishment.
- e) To reduce the possibility that any staff member or Administrator will be involved in corrupt operations.
- f) To ensure that all stakeholders have a common belief that university is committed to preventing corruption in all its forms;
- g) To require all university employees to be familiar with and abide by the principles and requirements of the Policy, the key rules of the applicable anticorruption laws, and adequate procedures to prevent corruption in all its forms.

SCOPE

Director, senior manager, officer, employee (permanent, fixed-term, or temporary), consultant, contractor, trainee, seconded staff, casual workers and agency staff, volunteer, intern, agent, sponsor, business partner, and third-party representative anywhere in the world, or any other person associated with us, wherever they may be acting on our behalf, are all covered by this policy.

PRINCIPLES

- 1) The members of the Board shall set the example of a zero-tolerance policy against corruption at all levels.
- 2) All applicants and, workers, employees, associated parties/companies, university managerial bodies, and any other individual are strongly encouraged to comply with the principles and requirements of the Policy, and the university openly emphasizes its zero tolerance for corruption.
- 3) All potential clients, business connections, authorities and public agencies, and their respective representatives are considered third parties for the purposes of this policy.

COVERAGE

- A. Bribes
- B. Gifts and hospitality
- C. Facilitation payments

A. Bribes

- Workers are forbidden to offer or accept bribes of any kind, whether directly or through intermediaries (such as agents or distributors).

- To bribe someone in this context would mean to dishonestly convince them to do something for you in exchange for money or some other form of inducement.
- Gift cards, house repairs, tickets to a theatre or sporting event, guest passes to a private club, a no-bid contract, summer employment for a teenage family member, free limo/courtesy car service rides, and other "anything of value" are all examples of bribes.

B. Gifts and hospitality

Employees are prohibited from accepting gifts or hospitality from our business partners (donors and sub-grantees) if:

- the value of the gift or hospitality exceeds INR 500/- for each individual gift or hospitality; or
- the employee is a public employee, government official, government representative, politician, or political party.
- it's a monetary gift.
- there's any indication that you'll be asked to repay the courtesy.
- If it would be inappropriate to refuse a gift, the employee may take it as long as he informs his supervisor. The anti-corruption committee will be notified if an employee fails to make a declaration as required by this policy.

C. Facilitation payments

- University representatives are not allowed to make facilitation payments, which are a kind of bribery given to public officials or private officials in order to speed up or ease the fulfilment of their duties, but not in order to gain or keep business or any unlawful advantage.
- It is against company policy to make any kind of facilitation payment.
- We do not make monetary or in-kind contributions to political parties or candidates because doing so could be misconstrued as an attempt to gain an unfair commercial advantage.
- donations to nonprofits
- Contributions to charitable causes, whether in the form of in-kind services, knowledge, time, or direct monetary contributions, are welcome and encouraged.
- However, workers should exercise caution to prevent charity donations from being used to cover up bribes.
- We only give to charity in ways that comply with applicable law and are morally sound.

EXCEPTIONS:

- We are aware that local traditions regarding the giving and receiving of business gifts might vary widely.
- All relevant elements must be taken into account when deciding whether or not a given gift or hospitality is suitable and appropriate. Consider the giver's intentions before accepting a gift.
- Reporting and documenting gifts received formally to your supervisor or the relevant administrative agency is necessary for future reference.

RESTRICTED PRACTICES

An example -The following is a list of activities and procedures that are limited or forbidden by the policy:

- a) Theft by dishonest means, as defined by the Indian Penal Code (IPC)
- b) IPC-defined "criminal breach of trust"
- c) Fraud as defined by the Indian Penal Code
- d) Accepting or offering a bribe
- e) Acceptance or provision of gifts beyond the scope or form permitted herein Gifts and representative expenses, such as hospitality business expenses, provided by employees on behalf of the Organisation to individuals or organizations, or received by employees in connection with their work for the Organisation, must meet the five criteria listed below,
 - I. to celebrate a holiday or special occasion (such as Christmas, Diwali, New Year's, International Women's Day, anniversaries, or birthdays) that is directly related to the legitimate activity of the Organisation, such as the presentation or completion of a business project(s), the successful execution of contracts, the conducting of an official event (which may include delegate kits, publications, etc.);
 - II. not to put the Organization's or anyone else's reputation at risk if information about gifts or representatives is made public;
 - III. not to be a hidden fee for the service, act, omission, conniving, protection, provision of rights, making of certain decisions on transaction, agreement, license, permit, etc.;
 - IV. not to attempt to influence the recipient to engage in any illegal or unethical activity. No monetary or non-cash items of any kind may be given to any third party on behalf of the Organisation, its workers, or its agents.
 - V. Donating money or time for personal gain.
 - VI. Involvement or aid in electoral politics.
 - VII. Any other unethical conduct or omission, and
 - VIII. Any payment of any charges for government officers and their family (or on their behalf) to acquire commercial advantages.

- IX. Engage in any activity that violates the principles and requirements of the Policy or the regulations of the applicable anti-corruption laws through the use of any partner, agent, joint venture, intermediary, or other person.

MONITORING OF INTERNAL CONTROLS AND COMPLIANCE

1) Assessment of Compliance

- a) Compliance with established procedures is mandatory. Reporting from various business tools, internal and external audits, self-assessment, and input to the policy owner are all utilized to verify this policy is being followed.
- b) It is the objective of the Organisation to maintain books and records that fairly and accurately reflect its business activities and asset distributions. Therefore, staff members are expressly prohibited from making any false entries in the Organization's books and records.
- c) The Organization's expenditures on staff entertainment, gifts, and business travel will be audited as part of the Finance Department's regular checks and balances. When applicable, routine audits would also cover charitable donations and social security payments. Along these lines Any deviations from the strict no-bribery/anti-corruption policy must be approved by the head.
- d) Exceptions. –
 - i. Violations: Disciplinary action, up to and including termination, may be taken for any violation or failure to comply with this policy, subject to applicable local legislation.
 - ii. Any intentional manipulation of the process, system, or data, or any effort to do so, falls under this category.

RAMIFICATIONS OF MISCONDUCT

How to make a complaint-

Anyone who has reason to suspect bribery can seek advice from and report their concerns to the Anti-Corruption Committee. Within 5 business days of the incident, the complainant must submit a written report to the committee's chairperson.

The constitution of the Committee shall be-

- a) Chair of the "Anti-Corruption" Committee (Senior most Dean/Director)
- b) Internal Officers (Any three to be nominated by Vice Chancellor)
- c) Members from Middle-Level Management (Any two to be nominated by Vice Chancellor)
- d) HR Department Head
- e) Outside Expert (Preferably a lawyer)
- f) Dean Student Welfare

Once a complaint has been filed:

Investigation –

Once a complaint has been filed an investigation will be undertaken immediately. In instances where there is an alleged respondent, the respondent will be notified immediately. The complainant and the respondent will both be interviewed along with any individuals who may be able to provide relevant information.

Timelines- Authorities will investigate all complaints immediately and will work towards the prompt resolution and such a dispute. The first round of investigation and conclusion shall be arrived at within 10 working days from the date of filing of the complaint.

Fairness- All complaints will be investigated in the same manner with the aim of promoting, fairness and equality.

Confidentiality and the Right to Privacy -Authorities will preserve the confidentiality of all individuals involved in such complaint. The preservation of confidentiality may be affected by the employer's duty to prevent such activities in/at and by the alleged respondent's right to know the nature of the complaint being made against them and who has made it so that they can respond. If the investigation fails to find evidence to support the complaint, no documentation concerning the complaint will be placed on the file of the respondent. Authorities will retain all documentation for 12 months for informational purposes in the event that there is an internal appeal or a complaint filed with an outside agency.

Outcomes and Remedies - Authorities will act swiftly to ensure that such practices are stopped as soon as possible and may remedy the situation in a number of ways. The main concern of the employer will be to ensure that no such incident is repeated in the future.

Appeal -

Process Within 10 days from the result of the first round of investigation, either the complainant or the respondent may make a written request that an investigation be reviewed stating which aspect of the investigation is inadequate. The request must be submitted to authorities, who will determine if the investigation is to be re-opened in order to address the concerns raised. In case the appeal is taken up, then the investigation shall be completed within 15 working days by the same committee with the inclusion of an independent member. The result of the appeal shall be binding on the complainant for all purposes.


Registrar



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2019



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