

Anti Bribery Policy

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PREAMBLE:

B.S. Abdur Rahman Crescent Institute of Science and Technology (BSACIST) is committed to conducting its affairs with the utmost integrity, fairness, and transparency. BSACIST takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, upholding the highest ethical standards, and complying with all applicable laws, including the Indian Penal Code (IPC)/ Bharatiya Nyaya Sanhita (BNS) and the Prevention of Corruption Act (PCA), 2018. This policy reinforces the institute's commitment to a corruption-free environment. This policy is in addition to legal and statutory anti-corruption frameworks in India.

1. SHORT TITLE, APPLICATION, AND COMMENCEMENT

1.1. This document shall be called the B.S. Abdur Rahman Crescent Institute of Science and Technology (BSACIST) Anti-Bribery and Anti-Corruption Policy.

1.2. This policy applies to all directors, senior managers, officers, faculty members, scientists, staff, research scholars, students, consultants, contractors, trainees, seconded staff, casual workers, agency staff, volunteers, interns, agents, and any person associated with the university acting on its behalf, requiring them to conduct all activities with honesty and integrity, without resorting to corrupt practices or acts of bribery to gain any unfair advantage.

1.3. The Institute is bound by all the laws of India, including the related Acts of Bribery and corruption.

1.4. This policy shall come into force with effect from the date of notification.

2. OBJECTIVE

The objective of this policy is to:

2.1. Promote a culture of integrity, transparency, and accountability at BSACIST by preventing, detecting, and addressing all forms of bribery and corruption.

2.2. Ensure that all members of the Institute community and its stakeholders uphold the highest ethical standards in academic and administrative processes, in accordance with applicable laws and institutional values.

2.3. Minimize the impact of bribery and corruption on the organization's operations.

2.4. Inspire vigilance and good faith among staff members.

2.5. Identify and thoroughly investigate potential corruption.

2.6. Ensure swift and severe punishment for corruption.

2.7. Reduce the possibility of staff involvement in corrupt operations.

2.8. Ensure all university employees are familiar with and abide by the policy.

2.9. Safeguard the university's reputation and financial interests.

2.10. Emphasize due diligence in engaging with third parties, including suppliers, contractors, and others.

2.11. All stakeholders are expected to:

- Refrain from offering any form of monetary or non-monetary benefit, including gifts or hospitality, if there is a likelihood it could lead to the misuse of one's official position or influence decision-making inappropriately.

- Avoid any misuse of official position for personal gain or to benefit others through gifts, payments, or undue favors.
- Ensure that no offer of benefit is made with the purpose of influencing decisions that could result in any form of undue advantage for the Institute.

3. DEFINITIONS

3.1. **Bribery:** As defined by the IPC (Section 171 & 172)/ BNS (Section 170 & 173), bribery is offering, promising, giving, soliciting, or accepting anything of value to influence the actions of another person in a dishonest or illegal way. This can be done directly or indirectly, and the value can be monetary or non-monetary (e.g., money, gifts, services, hospitality, favors). This includes bribes offered or received through intermediaries.

3.2. **Corruption:** The abuse of entrusted power or position for personal gain or to benefit others unlawfully. This can include various acts like favoritism, nepotism, embezzlement, extortion, and misuse of resources. Corruption is defined as the misuse of authority for private or public advantage.

3.3 **Facilitation Payments:** Small payments made to expedite routine or lawful actions.

4. SCOPE

4.1. This Policy applies to all faculty members, scientists, staff, research scholars, and students at BSACIST and its associated entities. This policy also includes third parties such as agency workers, consultants, subcontractors, and others working on behalf of BSACIST irrespective of their location, function, or grade.

4.2. This policy strictly prohibits the following:

4.2.1. **Offering or Accepting Bribes:** This includes any attempt to influence decisions related to:

- Admissions
- Grades

- Research funding
- Contracts and procurement
- Employment
- Any other institute activity that can be influenced improperly.

4.2.2. Facilitating Payments: Offering small bribes to expedite routine or lawful actions is strictly prohibited.

4.2.3. Misuse of Resources: Misuse of institute resources for personal gain or to benefit others inappropriately.

4.2.4. Conflicts of Interest: Engaging in any activity that creates a conflict between personal interests and professional duties at the institute. This includes situations where a staff member or faculty member has a financial or other stake in a company or organization that does business with the institute.

4.2.5. Participating in schemes or arrangements to deceive or mislead the institute for personal gain or to benefit others unlawfully.

4.2.6. Theft by dishonest means (as defined by the Indian Penal Code - IPC).

4.2.7. Criminal breach of trust (IPC defined).

4.2.8. Fraud (as defined by the IPC).

4.2.9. Failure to declare gifts as required.

4.2.10. Using donations to non-profits to cover up bribes.

5. RESPONSIBILITIES AND CONSEQUENCES OF NON-COMPLIANCE

5.1. All BSACIST Personnel and Third-Party Representatives are expected to be aware of and comply with this Policy and immediately report actual or suspected violations to the Registrar (or designated authority).

5.2. Heads of Departments/Institutions (HoDs/Hols) are expected to oversee their direct reports' understanding and compliance with this Policy and Anti-Bribery and Anti-Corruption Laws. Violations of this Policy by any BSACIST Personnel may result

in disciplinary action up to termination of employment, as well as the potential for prosecution, fines, or imprisonment in accordance with applicable laws. Any Third-Party Representatives who violate this Policy may face termination of contracts and business relations with BSACIST.

6. GIFTS AND HOSPITALITY

6.1. This policy does not prohibit modest gifts and reasonable hospitality (given and received as mementos) to or from third parties provided certain rules and requirements are met.

6.2. All employees of BSACIST shall follow as under:

- Gifts, hospitality, or entertainment must never be offered, promised, or provided if there is a risk that it may be perceived as a bribe or as an attempt to secure an improper advantage.
- Similarly, no gift, hospitality, or entertainment should be solicited, agreed upon, or accepted if it could be interpreted as an inducement or lead to a conflict of interest.
- Care must be taken when dealing with public officials; under no circumstances should such interactions involve offers that could be seen as attempts to improperly influence their decisions or duties.
- Prior written approval must be obtained from the designated authority before offering or accepting gifts, hospitality, or entertainment that exceed defined thresholds or involve sensitive recipients.
- Gifts and hospitality in connection with their work for the Organisation, must meet the five criteria listed below.
- International Women's Day, anniversaries, or birthdays) that is directly related to
- of a business project(s), the successful execution of contracts, the conducting of an official event (which may include delegate kits, publications, etc.).
- gifts or representatives is made public
- permit, etc.

7. SPONSORSHIPS

7.1. Definition and Purpose: Sponsorships refer to financial or in-kind contributions made by external entities to the Institute in support of specific purposes such as research projects, academic conferences, educational workshops, community events, or local sports and cultural initiatives aligned with the Institute's objectives.

7.2. Compliance and Transparency: All sponsorships must serve legitimate academic, business, or charitable purposes and must not involve any expectation of undue influence, personal gain, or preferential treatment in return.

7.3. Approval and Documentation: Every sponsorship arrangement must be transparent, formally approved by the designated competent authority, and appropriately documented and recorded in the Institute's official records.

8. RAISING CONCERNS

All individuals are encouraged to promptly report any suspected instances or concerns related to bribery or corruption. If there is uncertainty about whether a specific action constitutes a violation of this policy, or if further clarification is needed, the matter should initially be discussed with the concerned Head of Institution/ Department (HoI/ HoD). If concerns remain unresolved, the issue should be escalated to the competent authority for additional guidance.

9. PROTECTION

9.1. The Institute shall support anyone who raises concerns in good faith under this policy, even if any subsequent investigation finds that they were mistaken.

9.2. The Institute shall ensure that no one suffers any detrimental treatment because of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery or corruption.

9.3. Detrimental treatment refers to dismissal, disciplinary action, threats, or unfavorable treatment in relation to the concern the individual raised. If anybody has reason to believe that he or she has been subjected to unjust treatment because of a

concern or refusal to accept a bribe, the matter should be informed to the HoI/ HoD immediately and thereafter to the competent authority at the Institute level.

9.4. Upon receiving the matter, the competent authority must report it to the Vice-Chancellor, BSACIST.

9.5. A special committee, nominated by the Vice-Chancellor, shall be constituted to examine such cases. A report within the stipulated time frame shall be prepared including the findings and recommendations.

10. RECORD KEEPING

10.1. The Office of the competent authority shall keep detailed and accurate financial records and will have appropriate internal controls in place to act as evidence for all payments made from whichever department/center it is carried.

10.2. Where payments are made to third parties, the legitimate business reason for such payments must always be clearly recorded.

10.3. It shall be ensured that all expenses relating to gifts, hospitality, or expenses incurred by third parties are submitted in accordance with the relevant travel and expenses policy in force at the Institute and, in each case, specifically record the reason for the expenditure.

11. MONITORING OF INTERNAL CONTROLS AND COMPLIANCE:

- Compliance with established procedures is mandatory.
- Reporting from various business units will be utilized to verify this policy is being followed.
- The Organization aims to maintain accurate books and records.
- Expenditures on staff entertainment, gifts, and business travel will be carefully monitored.
- Routine audits will cover charitable donations and social security payments.
- Any deviations from the strict no-bribery/anti-corruption policy must be approved by the head.

12. RAMIFICATIONS OF MISCONDUCT:

- Disciplinary action, up to and including termination, may be taken.
- Violations may also result in prosecution under local legislation.
- Refer to BSACIST's "Offenses Related to Dishonesty" policy for specific penalties, including verbal warnings, recorded warnings, severe warnings, final warnings, demotion, transfer, and dismissal.

13. HOW TO MAKE A COMPLAINT:

- A complainant must submit a written report to the Anti-Corruption committee's chairperson.

14. CONSTITUTION OF THE ANTI-CORRUPTION COMMITTEE:

- Chair: Senior-most Dean/Director
- Internal Officers: Any three to be nominated by the Vice-Chancellor
- Members from Middle-Level Management: Any two to be nominated by the Vice-Chancellor
- HR Department Head
- Outside Expert: Preferably a lawyer
- Dean Student Affairs

15. INVESTIGATION PROCESS:

- An investigation will be undertaken immediately.
- The complainant and respondent will both be interviewed, along with any individuals who may be able to provide relevant information.
- Authorities will investigate all complaints immediately and will work towards promoting fairness and equality.
- The first round of investigation and conclusion should be completed within 10 working days.
- The preservation of confidentiality may be difficult, but authorities will make every effort to ensure that all individuals involved in such complaint.

- Authorities will retain all documentation for 12 months for informational purposes.

16. 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.

17. APPEAL PROCESS:

- Within 10 days from the result of the first round of investigation, either the complainant or the respondent may request that an investigation be reviewed stating which aspect of the investigation is inadequate.
- The request must 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.

18. APPROVING AUTHORITY

The Vice-Chancellor, BSACIST shall be the approving authority for implementing actions related to bribery and corruption on the campus.

19. VIGILANCE AWARENESS:

The period from the last week of October till the first week of November is observed as Vigilance Awareness Week by the Government of Tamil Nadu. Hence, a pledge is taken by all the Staff of Anna University to make awareness about the perils of bribery and corruption.

20. REVIEW OF POLICY

The policy shall be reviewed periodically to ascertain the effectiveness of the implementation of anti-bribery and anti-corruption practices.

Important Considerations and Next Steps:

- **Legal Review:** This policy should be reviewed by legal counsel to ensure compliance with all applicable Indian laws and regulations.

- **Communication and Training:** The policy should be widely communicated to all BSACIST personnel and relevant third parties. Regular training sessions should be conducted to ensure understanding and compliance.
- **Enforcement:** Consistent and fair enforcement of the policy is crucial to its effectiveness.
- **Specific Thresholds:** The "designated authority" for approving gifts and hospitality, as well as the defined thresholds for acceptable gifts, should be clearly defined in a related procedure document.
- **Regular Updates:** The policy should be reviewed and updated regularly to reflect changes in laws, regulations, and best practices.



REGISTRAR