BANWASI VIKAS ASHRAM

Anti-Bribery & Anti-Corruption Policy

सर्व धर्म समभाव

BVA

BANWASI VIKAS ASHRAM

NEW BARGANDA , GIRIDIH, JHARKHAN

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1. Introduction and Objective

1.1 This Anti-Bribery& Anti-Corruption Policy ("**ABAC Policy**" or "this Policy") emphasizes Banwasi Vikas Ashram (**BVA**) (the "**Organization**") zero tolerance approach towards bribery and corruption. It establishes the principles with respect to applicable Anti-Bribery and Anti-Corruption laws;

1.2 This Policy provides information and guidance on identifying and dealing with bribery and corruption issues;

1.3 It guides us to act professionally, fairly and with utmost integrity in all our work and relationships, wherever we operate.

2. Definitions

2.1 **"Associates"** stands as a collective term for all individuals working at all the levels and grades, including senior managers, officers, directors, Board of trustees, employees (whether permanent, fixed-term or temporary), consultants, trainees, volunteers, interns, seconded staff, or any other person associated with Organization or their associates, wherever located.

2.2 **"Bribery"** shall mean the offering, promising, giving, receiving, soliciting or accepting of a financial or other advantage, or any other thing of value, with the intention of influencing or rewarding the behavior of a person in a position of trust to perform a public, commercial or legal function to obtain or retain a commercial advantage. Bribe often involves payments (or promises of payments) but may also include anything of value - providing lavish/inappropriate gifts, hospitality and entertainment, inside information, or sexual or other favours; offering employment to a relative; underwriting travel expenses; abuse of function; or other significant favours. Bribery includes advantages provided directly, as well as indirectly through an intermediary.

This Policy prohibits Associates and Third Parties from giving bribes not only to any public/government official but also to commercial organizations and/or individual.

2.3 **"PublicServant (Government Official or Public Servant)"**shall have the same definition as per Prevention of Corruption Act, 1988.

2.4 **"State"** means all levels and subdivisions of governments (i.e., local, regional, or national and administrative, legislative, or executive);

2.5 **"Facilitation Payments"** are unofficial payments made to public officials in order to secure or expedite the performance/non-performance of a routine or necessary action. They are sometimes referred to as 'speed' money or 'grease' payments or 'good-will money'. The payer of the facilitation payment usually already has a legal or other entitlement to the relevant action;

2.6 **"Kickbacks"** are illegal payments intended as compensation for favorable treatment or other improper services. The kickbacks may be money, a gift, credit, or anything of value.

3.Policy Statement and Purpose

3.1 **Core principle:** Organization and its employees shall neither receive nor offer or make, directly or indirectly, any illegal payments, remuneration, gifts, donations or comparable benefits which are intended to, or perceived to obtain grant/work or uncompetitive favours for the conduct of its operations and shall participate in efforts to eliminate such forms of an 'illicit payment'', bribery and corruption.

Organisationis committed to acting professionally, fairly and with integrity in its operations and relationships wherever it operates, and to implementing and enforcing effective systems to counter bribery. This includes compliance with all applicable laws, domestic and foreign, prohibiting undue/improper payments, gifts or inducements of any kind to or from any person, including officials in the private or public sector, customers and suppliers. Our Organization is equally committed to the prevention, deterrence and detection of bribery and other corrupt business practices.

3.2 **Forms of Bribery and Corruption:** Bribery and corruption can take many forms including; but not limited to cash or gifts to an individual or family members or associates, inflated commissions, fake consultancy agreements, unauthorized rebates, non-monetary favours and false political or charitable donations. These actions may be undertaken directly or through a third party. It is illegal and immoral to directly or indirectly, offer or receive a bribe.

3.3 **Anything of Value:** Bribery does not have to involve payments of cash. Bribery may involve "other things of value" offered, promised or provided, directly or indirectly even where what is offered has only symbolic value. Examples of other things of value includes:

- product or discount coupons
- payment of Third Party[1] tax debts
- passes to a private club
- a no-bid contract or procurement that is non-compliant with the Organization's Procurement Policy
- an internship for a family member
- travel, entertainment or entertainment
- sexual favours
- overpaying for purchases
- favors in any form

[1]As defined in the Definitions Section

3.4 **Laws:**Organization shall abide by all the applicable laws that counter bribery and corruption and are applicable to our Organization. This shall include, interalia:

- Prevention of Corruption Amendment Act, 2018 (**"PCA"**) and
- Other applicable laws and regulations.

3.5 The guidelines in this Policy supplement Organization's Code of Conduct and should be read in conjunction with:

- Whistle blower Policy (included in Financial Manual);
- Conflict of Interest Policy (included in Financial Manual); and
- any other relevant policies as may be implemented from time to time.

4. Requirements

4.1 Prohibited & Restricted Payments

4.1.1 Offering, promising and authorizing the giving of money, or anything else of value, to a Public Servant in order to secure an undue/improper advantage is strictly prohibited;

4.1.2 No Associate shall offer, give, promise or receive money, or anything else of value, to, or from an individual or entity in the private sector in order to obtain anundue/ improper advantage;

4.1.3 Even the mere act of offering is prohibited, regardless of whether or not theitem of value is actually accepted by the intended recipient;

4.1.4 The prohibition covers cash payments, benefits and favours, gifts, entertainment, travel, donations, sponsorships or training;

4.1.5 The above-mentioned payments are prohibited regardless of whether or notthey are made directly or indirectly through Third Parties.

4.2 Books, Records, Accounting & Payment Practices

4.2.1 In order to prevent the possibility of bribes and kickbacks being paid or accepted, Organization's financial records must fairly and accurately reflect each transaction involving Organization's operations and/or the deployment of assets;

4.2.2 Secret, unrecorded or unreported transactions are prohibited;

4.2.3 All expenses must be accurately accounted for, include appropriate supporting documentation and be promptly entered into Organization records before they are reimbursed;

4.2.4 The requirement under this section includes, but is not limited to, the accurate identification (in expense reports, related business and financial records) of all payments to Third-Parties acting for or on behalf of the Organization.

4.3 Willful Negligence

If an Associate or Third Party willfully ignores or turns a blind eye to any evidence of corruption or bribery within his/her department and/or around him/her, it will also be taken against them.



5. Compliance and Violations of Policy

5.1 Our Associates and Third Parties can be investigated by government regulators in different jurisdictions and, depending on the circumstances, prosecuted administratively, under civil law or under criminal law, which could result in severe fines and penalties, debarment and imprisonment if a violation of applicable anti-bribery and corruption laws and regulations is established;

5.2 Any Associate found to be in violation of this Policy will be subject to disciplinary action, up to, and including termination of employment, in accordance with applicable laws and Organization's policies, as well as any other legal and remedial actions available to the Organization under applicable law.

6. Duty to Report Breaches or Concerns

It is the responsibility of all Associates to ensure compliance with this Policy. Any Associate who is in doubt, suspects or witnesses a breach of this Policy by anyone in the Organization, or any Third Party working with the Organization, is encouraged to promptly contact the HR Team or the **Management committee/[Senior designation of the Organization]**of the Organization.

7. Exceptions and Review of Policy

The Organization reserves the right to modify and/or review the provisions of this Policy from time to time, in order to comply with applicable legal requirements or internal policies, to the extent necessary.

This policy was unanimously confirmed in the BVA Executive Committee meeting on dated 24/04/2023. And this policy was adopted.

25/4/23

Suresh Kumar Shakti
Secretary

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