MAN301T: Entrepreneurship & Management functions

Session 12

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Contents

Regulatory Environment and Compliance

Business Ethics for Self-governance

Regulatory environment of a business (in India)

Protect Investors

Companies Act, 2013 (Governance & Transparency)

Other regulatory requirements – SEBI Guidelines for raising funds

Protect Labor & Employees

Employee State Insurance Act, 1948

Industrial Disputes Act, 1948

Employees' Provident Funds Act, 1952

Protect Environment

Environment Protection Act, 1980

Water & Air (Prevention and Control of Pollution) Act, 1974/1981;

Hazardous Wastes, 2008

Protect Society (Central, State, Local)

Direct Taxes (Income Tax, Dividend Distribution)

Indirect Taxes (GST)

RBI compliance (Forex, FDI) & CSR

Protect Consumers

Consumer Protection Bill, 2015, Data Privacy Act 2018

Examples of violation of regulatory principles

- Satyam Internal Fraud (2009), PNB (2018)
- Sahara Group Investor Fraud (2012)
- Vedanta Resources Mining bauxite in Niyamgiri hills, Orissa (2013)
- Nestle Maggi misleading the consumer (2014)
- 700 Tanneries and Ganga water pollution (2015)
- IT department probing 30,000 cases of alleged tax evasion, Kingfisher (2017)
- Visa, Mastercard, Facebook Data Privacy (2018)

Corporate social responsibility (CSR)

- Corporate Social Responsibility is the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large
- The Companies Act, 2013 mandates the constitution of a CSR Committee for companies that exceed
 - Networth of Rs 500 Crore or more
 - Turnover of Rs 1000 Crore or more
 - Net profit of Rs 5 Crore or more

Activities that can be pursued under CSR

- Eradicating extreme hunger & poverty
- Promotion of education
- Promoting gender equality and empowering women
- Reducing child mortality and improving maternal health
- Combating human immunodeficiency virus, acquired immune deficiency syndrome, malaria and others
- Ensuring environment sustainability
- Employment enhancing vocational skills
- Social business projects
- Contributions to Prime Minister Fund or any other fund set up by the Central Government or the State Governments for socio-economic development and relief and funds for the welfare of the SC & ST
- Promoting non-profit incubation centres

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Regulatory Environment and Compliance

Business Ethics for Self-governance

Compliance versus Business Ethics

- Ethics is a set of moral principles or values that governs the conduct of an individual or a group
- What is lawful conduct is not always ethical conduct
 - The law may permit something that would be ethically wrong
- Business does not operate in a vacuum
 - Decisions made by business have far-reaching effects on society
 - In the past, many business decisions were made solely on a cost-benefit analysis
 - Such decisions may cause negative externalities for others
 - Corporations are considered to owe some degree of social responsibility for their actions

Typical Ethical Practices

Corporate values

Code of ethics (dos and don'ts)

• Governance (Ethics officer)

• Whistle blower Act

Two lines of thinking in business ethics

- The first one suggests that ethical issues have to be resolved through development of appropriate ethical standards at personal or organizational level ... a functionalist view
- The second one emphasizes the process of developing ethical standards rather than the standards themselves ... an interactionist view
- Implications: Businesses taking up the role of human development that was earlier played by family & religion. Shouldn't schools play a role in shaping it?

Work on your business plans

