

HVPE PROJECT

Name : Shreyash Kumari Sahoo
BATCH : IFY
ROLL NO. : F-34

ETHICS

Ethics can be defined as the discipline concerned with what is morally good and bad and morally right and wrong. The term is also applied to the system or theory of moral values or principles. The terms and conditions of ethics and morality are closely related.

Ethics refers to well-founded standards of right and wrong that prescribe what human ought to do, usually in terms of rights, obligations, benefits to society, fairness, or specific virtues. Ethics, for example, refers to those standards that impose the reasonable obligations to refrain from stealing, murder, assault, slander, fraud, etc. Secondary, ethics refers to the study and developments of one's ethical standards.

The meaning of ethics is hard to pin down, but being ethical is clearly not the matter of one's feeling. Because, one's feeling of what is right may frequently change.

ETHICAL CONFLICTS

Ethical conflicts often involve the question whether ends justify their means. In one example, doing what is 'morally right' or immoral can create a positive outcome.

Ethical conflicts arise when individuals are confronted with a collision between general belief systems about morality, ethics or justice and their own personal situations. Right and wrong are not always perfectly clear, and some situations involve choosing between two 'evils'. Perhaps, the ethical decision might result in personal or social injury or where an individual stands to gain from an unethical decision.

Ethical conflicts often involve the question of proving one's own stand as right or wrong. And mostly conflicts arise when someone acts in a way that ignores ethics of the other stand.

WHISTLE BLOWING

Whistleblowing is the term used when a person passes on information concerning work done being wrong, such as corruption, fraud, bullying, safety violation, etc. This can be referred to as 'blowing the whistle', 'making a disclosure', or otherwise. The person is usually closely related to the organisation, often an employee, but also sometimes, a supplier or a customer. They become whistleblower when they observe behaviour or actions that they believe to be misconduct, illegal and not in line with the company's Code of conduct, and report that suspicion as whistleblowing matter.

Whistleblowing can take place either within an organisation, or publicly:-

→ Organisational whistleblowing: is a preventive tool for organisations to reduce the risks of malpractice and irregularities. Empowering Employees

and other relevant stakeholders to blow the whistle increases the chances of managers obtaining information on irregularities that should be acted upon at an early stage. Organisations that take their code of conduct seriously will therefore put in place mechanisms to enable organisational whistleblowing, such as secure corporate whistleblowing system or hotline and a whistleblowing policy or guidelines.

→ Public whistleblowing: In organisations where trust is low, the above mechanisms are not in place, as there is no possibility to be an anonymous whistleblower, the person may be more inclined to blow the whistle publicly. This may include reporting to the police, media or through online social channels, which of course brings a greater risk of reputation damage for organisation. In some instances, though there is a duty to blow the whistle to a professional body or regulator.

CASE STUDY

Indian tech Giant 'Infosys' shaken by whistleblower complaints.

Bengaluru: Infosys NSE 0.49%, has directed law firm Shardul Amarchand Mangaldas and consultancy EY to complete investigations into whistleblower allegations of accounting malfeasance within the next fortnight, according to a person directly aware of developments at the software services major battling to return to a business as usual mode.

CEO Salil Parekh and CFO Nilanjan Roy - the two executives accused of financial malpractices by the anonymous group 'ethical employees' - have been accused from the investigations, but they have been tasked with keeping the company on an even footing and 'are meeting clients and investors to allay fears,' the person said.

The company has asked investigators to try and complete the process as



An employee walks past a signage board in the Infosys campus at the Electronics City IT district in Bangalore. (REUTERS File Photo)

credibility and materiality of the anonymous complaints. In light of the above, no disclosure under Regulation 30 of the LODR Regulations is required to be made.

"As requested, we will update the stock exchanges on the basis of key findings of the investigation reports once these are concluded," the company said in its clarification statement.

According to brokerage house Emkay, Infosys has reiterated that an internal en-

quiry by its Audit Committee along with external legal advisors Shardul Amarchand Mangaldas & Co is still on and the company would update investors/stock exchanges post the conclusion of the same.

This clarification is in response to the NSE seeking comments from Infosys on the subject. "The disclosure does not suggest that this concern is completely over. The company still continues with its internal en-

quiry. We believe that news flow related to this event will continue to drive near-term stock price movement for Infosys although after the recent correction, Infosys has become attractive for hacking stock upsides given relative valuations with the caveat that any adverse outcome related to the internal enquiry in the form of any senior-level exit remains a near term risk," Emkay said, adding that it has kept a hold rating on Infosys.

Infosys, Siemens Gamesa Renewable Energy ink digital deal

BENGALURU, NOVEMBER 4 (IANS): Global software major Infosys has inked a multi-year deal with Siemens Gamesa Renewable Energy (SGRE), to enable its digital transformation, Infosys said on Monday.

However, no financial details of the multi-year digital deal were disclosed.

"We look forward to enabling their (Siemens Gamesa) core modernisation, enhancing cloud capabilities and consolidating disparate and heterogeneous infrastructure and processes into a single SGRE global standard," said Infosys Executive Vice President and Manufacturing vertical global head Jasmeet Singh in a statement.

The Bengaluru-headquartered tech major will provide end-to-end IT infrastructure transformation, including hybrid cloud transformation and software defined network roll out.

Setting up intelligent service desk, digital workplace services and aligning SGRE's disparate IT setup into a harmonised infrastructure landscape are also part of the deal, the statement added.

With the deal, SGRE will receive a hybrid cloud solution to enable technical and financial synergies.

The partnership will help SGRE to achieve an optimised, stable and always-on network connectivity in more than 50 countries with the rollout of a software defined network.

Next generation workplace services with enhanced self-help and self-heal capabilities powered by Artificial Intelligence and automation tools are part of the agreement, the statement said.

SGRE is a global wind power major headquartered in Spain, it manufactures, install and maintains onshore and offshore wind turbines.

soon as possible, as short as two 'weeks,' said the source. The Bengaluru headquartered company will then 'follow the rule book', whether be the result, the person added.

India's second largest software exporter is facing investigations by the US Securities and Exchange Commission and the securities and Exchange board of India after the whistleblower alleged that Parekh and Ray were using aggressive accounting strategies and potentially hiding information from auditors to boost revenue and profit margins.

"While we will take a detailed look into the allegations" said a top official close to the department. The NYSE and BSE-listed company is also facing a class action law suit in New York. On Thursday stock closed at Rs 635.40, down more than 2% on BSE. The company's 52-week-low was Rs 600.65.

"The focus is to ensure a speedy investigation and do not let this issue derail the growth momentum that Infosys

The allegations

• The allegations against the company and its top executives are serious and require the company to take action.



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The company also says it has taken steps to ensure the integrity of its financial reporting and to prevent any future misconduct.

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Company closes mails, voice on wrongdoings'

Give investors the correct picture'

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Whistleblowers' allegations

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Need to act on complaints

"The allegations are serious and require the company to take action," the company said. "We have not yet received any evidence to support these claims," the company said. "We will be reviewing the evidence and taking appropriate action if necessary."

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'Whistleblowers' charges need thorough probe'

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has been seeing over the past year. You should not have distractions in a challenging business environment, said a second person aware of the issue. Infosys declined to comment on ET's queries.

People aware of the developments within the software services powerhouse, once regarded as the industry bell-weather, said there is rising concern over the state of allegations that have troubled the company in recent years. Corporate governance experts are also of the view that there is a clash of cultures within the nearly four-decade old company.

Shriram Subramaniam, managing director of proxy adviser firm in Chennai said, "The conservative mindset is embedded in Infosys. See any aggressive behaviour may trigger angst." In 2017 Infosys founder NR Narayana Murthy had raised concerns over corporate governance at the company, which culminated in then CEO Vishal Sikka resigning from the company.

ETHICAL HACKING

Ethical Hacking is an authorized practice of bypassing system security to identify potential data breaches and threats in a network. The company that owns the system or network allows Cyber Security engineers to perform such activity in order to test the system's defenses. Thus unlike malicious hacking, the process is planned, approved and more importantly, legal.

Ethical hackers aim to investigate the system or network for weak points that malicious hackers can exploit or destroy. They collect and analyze the information to figure out ways to strengthen the security of the system/network applications. By doing so, they can improve the security footprint so that it can better withstand attacks or divert them. Ethical hacking is organizations to look into the vulnerabilities of their systems and networks and develop situations to prevent data breaches.

CASE STUDY

Vadodare: He is just 20 and studying in third year of BE, computers at faculty of technology and Engineering, M S University. But, he spends most of his time at the police stations in the city. Whenever, the cops come across cyber crime cases, they simply dial Bhauvik Merchant's number. And, Merchant does not disappoint them.

He has helped police officials crack many cases ranging from e-mail hacking to online financial frauds. The cops have also been able to trace accused and take action against them in some of the cases. Interestingly, despite claims of having its own cyber crime cell, the cops have to rely more on such experts.

Last year, the city police got a case wherein a girl's photographs were picked up from her facebook profile and cropped by her ex-boyfriend. The accused posted his and her photographs



Sachin Tendulkar during the New Delhi Marathon at Jawaharlal Nehru Stadium.(PTI)

Sachin Tendulkar appeared in person before BCCI Ombudsman and former justice DK Jain in Delhi on Tuesday in the Conflict of Interest matter. But the hearing had no significant conclusion as the matter has been postponed to May 20.

on a certificate to prove that they were married. He sent that certificate copy to her fiancé who broke the engagement. Merchant tracked the case and even helped her close her FB account.

In a case of financial fraud, a resident of Wadi area lost Rs 40,000 from his bank account after he submitted his credit card number and bank account number to a website that promised him a lottery amount of 4.5 lakh British pounds. Merchant tracked the transactions and found that while the email came from Nigeria, money was withdrawn from Delhi.

"We come across several cyber crime cases in the city and merchant has been very helpful. He has helped us solve many cyber cases. It is very necessary to keep case details confidential during investigations and despite so young. Merchant has been very co-operative," said Gatri police inspector Shankar Chaudhary.

CONFLICT OF INTEREST

Conflict of interest is a situation in which a person or organisation is involved in multiple interests, financial or involved in working against another. Typically, this relates to situations in which the personal interest of an individual or organisation might adversely affect a duty owed to make decisions for the benefit of a third party.

An "interest" is a commitment, obligation, duty or goal associated with a particular social role or practice. By definition, a 'conflict of interest' occurs, if within a particular decision-making context, an individual is subject to two co-existing interests that are in direct conflict with each other. Such a matter is of importance because under such circumstances the decision-making process

can be disrupted or compromised in a manner that affects the integrity or the reliability of the outcomes.

Typically, a conflict of interest arises when an individual finds himself or herself occupying two social roles simultaneously which generates opposing benefits or loyalties. The interests involved can be pecuniary or non-pecuniary. The existence of such conflicts is an objective fact, not a state of mind, and does not in itself indicate any lapse or moral error.

However, especially where a decision is being taken in a fiduciary context, it is important that the contending interests be clearly identified and the process for separating them is rigorously established. Typically, this will involve the conflicted individual either giving up one of the conflicting roles or else recusing himself or herself from the particular decision-making process that is in question.

CASE STUDY

Board of Council for Cricket in India Ethics officer or Justice DK Jain on Monday dismissed the 'conflict of interest' allegations against Sachin Tendulkar after the cricket icon refused to be part of the Cricket Advisory Committee unless he is provided with agreeable 'terms of reference'.

"Once the BCCI furnished the terms of reference and tenure, he will decide on the course of his participation in the same. Mr Tendulkar doesn't consider himself to be part of any Cricket Advisory Committee and will not act as such. In consequence, the present complaint doesn't survive for adjudication."

Jain, who is also BCCI ombudsman, said Tendulkar, through his legal counsel Amit Sibal had issued a statement, which was enough to dismiss the case. Tendulkar's legal counsel's statement read: "Without prejudice to

helps crack cyber cases

Tushar Tere | TNN

Vadodara: He is just 20 and studying in third year of Bachelors of Engineering (BE), computers at Faculty of Technology and Engineering, M S University (MSU). But, he spends most of his time at the police stations in the city. Whenever, the cops come across cyber crime cases, they simply dial up Bhaumik Merchant's number. And, Merchant does not disappoint them. He has helped police officials crack many cases ranging from e-mail hacking to online financial frauds.

The cops have also been able to trace accused and take action against them in some of the cases. Interestingly, despite claims of having its own cyber crime cell, the cops have to rely more on such experts. "I was working as

an intern with the crime branch last year when I came in touch with the police. I started working on some cyber crime cases that were registered in the police stations and got associated with the cops," Merchant told TOI.

Bhaumik Merchant



Bhaumik Merchant

accused pasted his and her photographs on a certificate to prove that they were married. He sent that certificate copy to her fiancée who broke the engagement.

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"We come across several cyber crime cases in the city and Merchant has been very helpful. He has helped us solve many cyber cases. It is very necessary to keep case details confidential during investigations and despite being so young, Merchant has been very co-operative," said Gotri police inspector Shankar Chaudhary.

A senior cop admitted that the police department does not have cyber experts who can work on such cases and that there is a need to train policemen in tracking online frauds.

well as mentor/ican with their franchises Mumbai Indians and Sunrisers Hyderabad respectively.

However, Tendulkar in his affidavit had categorically denied that he has any financial agreement in both his roles and hence doesn't come under tractable 'conflict of interest'.

It has been learnt that COA is ready with terms of reference and will be handed over to him now that the case is over.