

NABARD Whistle Blower Policy

1. PREAMBLE

Government of India, Department of Personnel and Training, published a Resolution dated 21st April, 2004, on the Public Interest Disclosure & Protection of Informers (PIDPI) and issued guidelines thereon authorizing the Central Vigilance Commission (CVC) as the Designated Agency to receive written complaints for disclosure on any allegation of corruption for misuse of office from any public servant or a person including an NGO and recommend appropriate action. In accordance with this Resolution, the CVC has formulated norms for acceptance of complaints under the PIDPI Resolution and for keeping the identity of the complainant secret.

NABARD, being established under a Central Act comes under the purview of the CVC, has decided to introduce a Whistle Blower Policy as a measure of enhancing Corporate Governance. In addition to the Central Government's PIDPI Resolution, this Policy intends to provide employees of the Bank another window for preferring complaints and making disclosures on any allegation of misuse of office or of corrupt practices, without fear of victimisation and retribution.

2. OBJECTIVE

The objective of the 'Whistle Blower Policy' is to ensure the highest ethical, moral and business standards in the course of functioning and to build a lasting and strong culture of Corporate Governance within the Bank. In terms of the Policy, an internal mechanism is established for staff members to report to the management concerns about unethical behaviour, actual or suspected fraud or violation of the Bank's code of conduct/NABARD Staff Rules 1982. The Policy is intended to encourage all employees of the Bank to report suspected or actual occurrence of illegal, unethical or inappropriate actions, behaviours or practices by staff without fear of retribution. Employees can voice their concerns on irregularities, malpractices and other misdemeanours with due safeguard and protection to the whistle blower.

This policy should be read in conjunction with existing instructions of the Bank as well as those of the Government of India/Central Vigilance Commission in this matter, issued from time to time.

3. DEFINITIONS

The definitions of some of the key terms used in this policy are given below:

- i. **Whistle Blower** – Employee(s) of the Bank making disclosure under this policy. The Whistle Blower's role is that of a reporting party. Whistle-blowers are not investigators or finders of facts; neither can they determine the appropriate corrective or remedial action that may be warranted.

- ii. **Designated Official** – General Manager / Deputy General Manager, Inspection Department at Head Office will be the designated official for the Bank.
- iii. **Subject** – Head Office Department/Regional Office/Training Establishments/ DDM Office/Employee – The specific Head Office/Regional Office/Training Establishments/DDM Office and/or employee in respect of whom disclosure is being made.
- iv. **Employees** – All employees of the Bank, including officer and staff.
- v. **Disclosure** – Any communication, whether by letter/email/or over telephone, relating to unethical practice or behaviour or violation of service rules, made in good faith by the Whistle Blower.
- vi. **Reviewing Authority** – Chief General Manager, Inspection Department at Head Office.
- vii. **Appropriate Departmental Action** – Departmental action as per the applicable NABARD Staff Rules, 1982, as amended from time to time.
- viii. **Investigator(s)** - Any person(s) duly appointed by the Chief General Manager, Inspection Department / Competent Authority to conduct an investigation under this policy.

4. COVERAGE

All employees of the Bank are covered under this policy. The Policy covers malpractices and events which have taken place/suspected to have taken place in the Bank involving:

- i. corruption
- ii. frauds
- iii. misuse/abuse of official position
- iv. manipulation of data/documents
- v. Any other act of an employee which affects the interest of the Bank adversely and has the potential to cause financial or reputational loss to the Bank. The details in the complaint should be specific and verifiable.

5. EXCLUSIONS

The decisions taken by the Committees established by the Bank and Policy decisions of the Bank shall be outside the purview of this policy.

6. REPORTING MECHANISM

- i. Any employee willing to disclose information may do so in any of the following manner:

- a) In writing, in a prescribed format (Annexure I) duly addressed to the **Designated Officer** in a sealed envelope specifically superscribed in capital letters “**DISCLOSURE UNDER WHISTLE BLOWER SCHEME**”. The envelope containing the complaint should be sent to the Designated Officer i.e. General Manager / Deputy General Manager, Inspection Department, at Head Office. The identity of the Whistle Blower should not be disclosed on the envelope containing the disclosure.
 - b) Complaints can also be sent to the **specially designated e-mail ID**, i.e., **blow.whistle@nabard.org** created for the purpose from the official e-mail ID of the employee. The contact details and address of the Whistle Blower should however be provided. In case of absence/incorrectness of the same, the complaints will be treated as anonymous/pseudonymous complaints and may not attract further action.
 - c) Disclosures can also be made through telephone No. **022-68120071** which is a **dedicated number** for the purpose. The Whistle Blower would, however, be required to disclose his/her identity and furnish sufficient information for verifying his/her identity by the Designated Official. Additional information, as deemed necessary, will be sought for by the designated official attending the call. ii. Suitable proof of the complainant’s identity/contact numbers/address should be given so that additional information, if any, can be obtained. In case identity cannot be established, the complaints will be treated as anonymous/pseudonymous complaints and may not attract further action.
- iii. The disclosure whether by letter/email/telephone, should provide specific and verifiable information in respect of the Subject – Head Office Department/Regional Office/Training Establishments/DDM Office/Employee.

7. CONFIDENTIALITY MECHANISM OF WHISTLE BLOWER

- i. The complaints received under Whistle Blower in the prescribed format (Annexure-I), will be opened by the Designated Official only.
- ii. Upon receipt of Complaint, the Designated Official will enter the particulars of Complaint in the Register (Annexure-IIA) and allot a code number on all the pages of the complaint. The first page containing the whereabouts of the Whistle Blower along with the envelope will be retained in the custody of Designated Official. The subsequent pages containing the details of Whistle Blower case will be handed over to the concerned desk official for investigation purpose. The Designated Official will ensure that the identity of Whistle Blower is not disclosed. The register as per Annexure II A will be confidential and retained with the Designated Official.
- iii. The particulars of the Complaint will be recorded in the prescribed Register (Annexure – II B).

8. PROTECTION TO WHISTLE BLOWER

The Bank will protect the confidentiality of the complainants and their names/identity will not be disclosed except as statutorily required under law.

- i. No adverse penal action shall be taken or recommended against an employee in retaliation to his/her disclosure in good faith, of any unethical and improper practices or alleged wrongful conduct. It will be ensured that the Whistle Blower is not victimized for making the disclosure.
- ii. In case of victimization in such cases, serious view will be taken including departmental action on such persons victimizing the Whistle Blower.
- iii. The identity of the Whistle Blower will not be disclosed to the Investigating Official.
- iv. If any person is aggrieved by any action on the ground that he/she is being victimized due to the fact that he/she had filed a complaint or disclosure, he/she may file an application before the Reviewing Authority (Chief General Manager, Inspection Department, at Head Office) seeking redressal in the matter, where upon the Chief General Manager, Inspection Department, at NABARD Head Office may give suitable directions to the concerned person or the authority.
- v. To protect the interest of the Whistle Blower from any adverse reporting in his/her Annual Appraisal/Performance report, he/she may be given an option to request for a review of his/her Annual Report by the Reviewing Authority of his/her Report within one month after finalization of the Performance Appraisal Report (PAR).

9. DISQUALIFICATIONS FROM PROTECTION

- i. Protection under the policy would not mean protection from departmental action arising out of false or bogus disclosure made with malafide intention or complaints made to settle personal grievance.
- ii. Whistle Blowers, who make any disclosures, which have been subsequently found to be malafide, frivolous or malicious, shall be liable to be prosecuted and appropriate disciplinary action will be taken against them under NABARD Staff Rules, 1982, when it is established that the Complaint has been made with intention of malice.
- iii. This policy does not protect an employee from any adverse action which occurs independent of his/her disclosure under this policy or for alleged wrongful conduct, poor job performance, any other disciplinary action, etc., unrelated to a disclosure made pursuant to this policy.
- iv. Provided that any adverse action against a whistle blower shall be taken only after a proper examination of facts, as per pre-defined procedure and after giving him/her due opportunity to explain his/her case as per the cannons of natural justice.

10. MECHANISM FOR ACTION / REPORTING ON SUCH DISCLOSURES

- i. The designated official shall, on receipt of the complaint, arrange to verify the identity of the Whistle Blower. The identity of the complainant would be confirmed by the designated official by writing a letter to him/her. A sample of the letter is at Annexure-IV.
- ii. Proper record will be kept of all disclosures received (Annexures II A and B). The action taken against each disclosure will also be noted and put up to the Reviewing Authority within 7 days of receipt of complaint.
- iii. Only on being satisfied that the disclosure has verifiable information, necessary enquiry/investigation will be done with regard to the complaint with the assistance of the Inspection Department. The Designated Official will also have the authority to seek the assistance/support from other departments/offices to conduct enquiry/investigation. The process of investigation will be completed within 45 days of the verification of the veracity of the whistle blower.
- iv. The identity of the Whistle Blower will not be disclosed to the officials conducting the enquiry/investigation. In case additional information is required to be collected from the Whistle Blower, it will be through the Designated Official.
- v. Any inquiry/investigation conducted against any Subject shall not be construed by itself as an act of accusation and shall be carried out as a neutral fact finding process, without presumption of any guilt.
- vi. The inquiry/investigation shall be conducted in a fair manner and shall provide adequate opportunity for hearing to the affected party. A written report of the findings shall be prepared for submission.
- vii. Though time frame of maximum 45 days has been permitted to complete the investigation/enquiry, in case the same cannot be completed within the stipulated period, an interim report should be mandatorily submitted by the Investigating Officer, giving, inter-alia, the tentative date of completion.
- viii. Depending upon the nature of disclosure and its gravity, the Designated Official will take a view to take up investigation on a priority basis and fix a shorter time frame for its completion.
- ix. In the absence of any specific and verifiable information in the disclosure, the Designated Official will be authorized not to take any action. This would be suitably recorded and placed before the Reviewing Authority.
- x. In case the allegations made in the disclosure are substantiated, **appropriate departmental action** as per the provisions of NABARD Staff Rules, 1982, will be taken against the employee concerned on whose part the lapses are observed.

xi. The action taken against the subject/employee as stated in the above paragraph will be in addition to any other action or prosecution which may be initiated against said subject/employee under any statute or law in force.

11. REVIEW OF STATUS REPORT

- i. The functioning of the Scheme will be reviewed by the Reviewing Authority on quarterly basis.
- ii. The Designated Officer shall submit a status report in the prescribed format (Annexure-III) to the Reviewing Authority and any other information relating to the disclosures received under the Whistle Blower Scheme on quarterly basis. The status report would include the following:
 - a. The status of the disclosure received/disposed of/closed/improper disclosure/pendency during the present and prior period, and the action taken thereon.
 - b. The special areas which need focused attention.
 - c. The nature of disclosures made, their HO Department/RO/TE/DDM office wise distribution.

The Reviewing Authority may send recommendations to the Chairman for taking corrective measures to prevent recurrence of such events in future.

12. AWARENESS AMONG THE EMPLOYEES

All the operating functionaries in the Bank shall ensure meticulous compliance and implementation of the following action points in their workplace:

- i. To ensure a conducive culture in the workplace so that every employee shall feel free to raise concerns about any irregularity, unethical practice and/or misconduct inside the Bank.
- ii. To ensure that no unfair treatment is meted out to a Whistle Blower by virtue of his/her having reported under this Policy. It should be made clear that Bank has zero tolerance for any kind of discrimination, harassment, victimization or any other unfair employment practice being adopted against Whistle Blowers. iii. To protect Whistle Blowers against any unfair practice like retaliation, threat or intimidation of termination/suspension of service, disciplinary action, transfer, demotion, refusal of promotion, or the like, including any direct or indirect use of authority to obstruct the Whistle Blower's right to continue to perform his/her duties/functions.
- iv. Provide prompt redressal to the Whistle Blower who is aggrieved by any action on the ground that he/she is being victimized due to the fact that he/she had filed a complaint or disclosure within the extant framework of redressal system under the policy.

- v. To conduct periodic training programme/workshop/seminars for sensitizing staff members for extensive use of the Whistle Blower Policy of the Bank for reporting and unearthing of actual or suspected frauds and financial misconduct inside the Bank.
 - vi. To sensitize all staff at the entry level in the Bank about the Whistle Blower Policy for utilising it as a tool for reporting of unethical practices/incidents of suspected or actual frauds/violation of Bank's Code of Conduct Policy in the Bank and provisions of protections and safeguards available to the Whistle Blower by the Bank.
 - vii. To encourage extensive utilization of Whistle Blower Policy in unearthing possible fraud in the Bank while conducting Preventive Vigilance Inspection.
- 13.** This policy can be changed, modified, rescinded or abrogated at any time by the Bank and be reviewed on annual basis.
- 14.** The Inspection Department at Head Office shall ensure monitoring, controlling and resolving the complaints received under the Whistle Blower Policy in the Bank and bringing it to its logical end.

ANNEXURE - I

कूट संख्या Code No.	शिकायत दर्ज करने की तारीख Date of filing Complaint	नामित अधिकारी के आद्यक्षर Initial of Designated Official

(नामित अधिकारियों के उपयोग हेतु -इस लाइन के ऊपर कुछ न लिखे)

(For use of Designated Official Do not write anything above this line)

व्हिसल ब्लोअर शिकायत फॉर्म WHISTLE BLOWER COMPLAINT FORM

महाप्रबंधक / उप महाप्रबंधक / The General Manager / Deputy General Manager

राष्ट्रीय कृषि और ग्रामीण विकास बैंक / National Bank for Agriculture & Rural

Development

निरीक्षण विभाग, प्रधान कार्यालय / Inspection Department, Head Office

प्लॉट सं. सी24-, 'जी' ब्लॉक, बांद्रा कुर्ला कॉम्प्लेक्स Plot No. C-24, 'G' Block, Bandra Kurla

Complex, मुंबई/Mumbai - 400051 के व्हिसल ब्लोअर की व्यक्तिगत सूचना

PERSONAL INFORMATION OF WHISTLE BLOWER

1. नाम

NAME

.....
.....

2. पता ADDRESS

.....

3. विपसं सं. UIN No.

4. क्षेत्रीय कार्यालय / प्रशिक्षण संस्थान / प्रधान कार्यालय विभाग / डीडीएम कार्यालय का नाम
Name of Regional Office / Training Establishment / Head Office Department / DDM
Office :

स्थान / PLACE.....

5. संपर्क संख्या (अवसीय) / CONTACT NUMBER (R) (.....
कार्यालय / OFFICE)
मोबाइल संख्या / Mobile No

6. ई-मेल पता / E-Mail Address :

7. व्यक्तियों के विरुद्ध की गई शिकायतें (संलग्न शीट के अनुसार)
Person(s) against whom the complaint is made: As per enclosed sheet

8. शिकायत का विवरण (संलग्न शीट के अनुसार)
Details of Complaint: As per enclosed sheet

घोषणा / DECLARATION

मैं यह घोषणा करता हूँ कि बैंक की व्हिसिल ब्लोअर नीति के अंतर्गत मेरे द्वारा प्रस्तुत की गई उपर्युक्त सूचना मेरी अधिकतम जानकारी सचना और विश्वास के अनुसार सत्य और सही है .

I declare that the above information is furnished by me under Whistle Blower Policy of the Bank which is true and correct to the best of my knowledge, information and belief.

दिनांक / DATE

हस्ताक्षर SIGNATURE

अनुबंध /ANNEXURE - I (पष्ठ सं०)

Page no.2

कूट संख्या Code No	शिकायत दर्ज करने की तिथि Date of filing Complaint		नामित अधिकारी के आद्यक्षर Initial of Designated Official	
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(नामित अधिकारियों के उपयोग हेतु .इस लाइन के ऊपर कुछ न शलखें)

(For use of Designated Authority. Do not write anything above this line)

ख . व्हिसिल ब्लोअर नीति के अंतर्गत रिपोर्ट किए गए मामले के संक्षिप्त तथ्य

BRIEF FACTS OF THE CASE REPORTED UNDER WHISTLE BLOWER POLICY

तथ्यों का विवरण, यदि आवश्यक हो तो अतिरिक्त पन्नों का प्रयोग करें ,

Statement of facts: (Please use extra pages if necessary)

उस/उन व्यक्ति(यों) का विवरण जिनके विरुद्ध भूल चूक से संबन्धित मामलों का प्रकटन किया गया है
(यदि आवश्यक हैं तो अतिरिक्त पन्नों का प्रयोग करें)

Statement detailing acts of commissions/omissions of the person(s) against whom disclosure is made: (Please use extra pages if necessary.)

क्या पूर्व में किसी के संबंध में यह प्रकटन किया गया ? यदि हाँ, कब और कैसे ?

Was this disclosure made to anyone in the past? If yes, when and to whom?

अनुबंध /Annexure- II

ए. व्हिसिल ब्लोअर शिकायत रेजिस्टर जो गोपनीय है और जिसका उपयोग केवल पदनाशमत अधिकारी अर्थात महाप्रबंधक / उप महाप्रबंधक (निरीक्षण विभाग) द्वारा किया जाएगा .

WHISTLE BLOWER COMPLAINT REGISTER WHICH IS CONFIDENTIAL AND SOLELY FOR THE USE OF DESIGNATED OFFICER i.e. GM/DGM (Inspection Department)

शिकायत दर्ज करने की तारीख Date of filing Complaint	मामला सं. Case No.	व्हिसिल ब्लोअर का नाम Name of Whistle Blower	व्हिसिल ब्लोअर का विवरण Details of Whistle Blower	प्र.का./क्षे.का./प्र.सं / डीडीएम कार्यालय HO / RO/TE/ DDM Office	व्यक्ति जिसके विरुद्ध सचना दी गई Person against whom reported	कूट सं. Code No.	आद्यक्षर Initial

बी. अनिती काय भुरव्जस्टर /Follow-up Register

सशकायत दर्ज करने की ततथ Date of filing Complaint	मामला सं. Case No.	प्र.का./क्षे.का./ प्र.सां / डीडीएम कार्यालय HO / RO/TE/ DDM Office	है हयव्वत व्जसके षरुद्ध सचना दी गई Person against whom reported	सशकायत का सांक्षक्षप्त षरण Brief Details of the complaint	की गई कारार्राई की ततथ Date of action taken	की गई कारार्राई की प्रकृतत Nature of action taken	मामले के तनपटान की ततथ Date of closure of case	समीक्षा प्राथधकारी को कारार्राई ररपोटा प्रस्तत करन ेु की तारीख Action report submitted to Review Authority on	आद्यक्षर Initial

निरीक्षण विभाग/ INSPECTION DEPARTMENT
नाबार्ड प्रधान कार्यालय/ NABARD HEAD OFFICE

मार्च/जून/सितम्बर/दिसम्बर 20... को समाप्त तिमाही के लिए व्हिसिल ब्लोअर नीति के अंतर्गत प्राप्त शिकायतों की स्थिति की रिपोर्ट

STATUS REPORT OF COMPLAINTS RECEIVED UNDER WHISTLE
BLOWER POLICY FOR THE QUARTER ENDING
MARCH/JUNE/SEPTEMBER/DECEMBER 20_____

व्हिसिल ब्लोअर मामले की समीक्षा Review of Whistle Blower cases					
दिनांक की स्थिति के अनुसार प्राप्त शिकायतों की संख्या Opening No. of complaints as on	तिमाही के दौरान प्राप्त Received during the quarter	अस्वीकृत मामलों की संख्या No. of cases rejected	उन मामलों की संख्या जिनमें जांच शुरू की गई No. of cases where investigation initiated	लंबित मामलों की संख्या No. of cases pending	व्हिसिल ब्लोअर के दुर्भावनापूर्ण इरादे के विरुद्ध की गई कार्रवाही से संबन्धित मामलों की संख्या No. of case where action taken against whistle blower for malafide intent
व्हिसिल ब्लोअर नीति के अंतर्गत कर्मचारियों के विरुद्ध की गई अनुशासनिक कार्रवाही से संबन्धित मामलों की संख्या No. of cases where disciplinary action taken against employee under Whistle Blower Policy					
व्हिसिल ब्लोअर नीति के अंतर्गत पहचान किए गये धोखाधड़ी के मामलों की संख्या No. of frauds detected under Whistle Blower Policy					
व्हिसिल ब्लोअर नीति के अंतर्गत रिपोर्ट किए गए बैंक के प्रमुख क्षेत्र Major areas of the Bank reported under Whistle Blower Policy					

की जाने वाली सुधारात्मक कार्रवाही Remedial action to be taken

निरीक्षण विभाग
Inspection Department
नाबाडभ, प्रधान कायाभलय NABARD, HO

Signature of Designated official
नामित अधधकारी के हस्ताक्षर

अनबांधु /ANNEXURE-IV
गोपनीय /CONFIDENTIAL

स्पीड पोस्ट /पंजीकृत डाक
Speed post/ Registered post

सेवा में To,

महोदया /महोदय Madam/Sir,

.....नाबाड भ व्हिसिल ब्लोअर नीति”
के अंतर्गत निरीक्षण विभाग को दिनांक को प्राप्त अपने दिनांक की शिकायत का संदर्भ लें .
Please refer to your complaint dated ----- received by the Inspection Department
on under "NABARD Whistle Blower Policy”.

2. उक्त नीति के अनुसार, यह अपेक्षित है कि शिकायतकर्ता इस बात की पृष्टि करें कि उसने कक्ष को उक्त शिकायत भेजी है. अतः आपसे अनुरोध है कि आप उपर्युक्त शिकायत भेजने की पृष्टि पत्र प्राप्ति के 30 दिनों के भीतर करें.

As per policy, a complainant is required to confirm that he/she has actually sent the said complaint to the Department. You are, therefore, requested to confirm within 30 days of receipt of this letter, that you have sent the above-mentioned complaint.

3. उत्तर अधोहस्ताक्षरी को उनके नाम से प्रेषित किया जा सकता है .

The reply may be addressed to the undersigned by name.

भवदीय

Yours faithfully

मख्य महाप्रबंधक/पदनामित अधिकारी का नाम

Name of the CGM/Designated Official

पदनाम /Designation