

No.004/VGL/26
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 17th May, 2004

Office Order No. 33/5/2004

Subject:- Govt. of India Resolution on Public Interest Disclosures & Protection of Informer.

The Government of India has authorised the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. A copy of the Public Notice issued by the Central Vigilance Commission with respect to the above mentioned Resolution is enclosed. All CVOs are further required to take the following actions with respect to the complaints forwarded by the Commission under this Resolution:

- (i) All the relevant papers/documents with respect to the matter raised in the complaint should be obtained by the CVO and investigation into the complaint should be commenced immediately. The investigation report should be submitted to the Commission within two weeks.
- (ii) The CVO is to ensure that no punitive action is taken by any concerned Administrative authority against any person on perceived reasons/suspicion of being "whistle blower."
- (iii) Subsequent to the receipt of Commission's directions to undertake any disciplinary action based on such complaints, the CVO has to follow up and confirm compliance of further action by the DA and keep the Commission informed of delay, if any.
- (iv) Contents of this order may be brought to the notice of Secy./CEO/CMD.

All CVOs may note the above directions for compliance.

Sd/-
(Sujit Banerjee)
Secretary

To

All Chief Vigilance Officers

Central Vigilance Commission

Press Release:

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to any employee of the Central Government or of any corporation established by or under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.**

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the identity of the complainant secret. **Hence, it is informed to the general public that any complaint, which is to be made under this resolution should comply with the following aspects.**

- i) The complaint should be in a closed / secured envelope.
- ii) The envelope should be addressed to Secretary, Central Vigilance Commission and should be superscribed "Complaint under The Public Interest Disclosure". If the envelope is not superscribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the Commission. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.
- iii) Commission will not entertain anonymous/pseudonymous complaints.
- iv) The text of the complaint should be carefully drafted so as not to give any details or clue as to his/her identity. However, the details of the complaint should be specific and verifiable.
- v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.

4. The Commission can also take action against complainants making motivated/vexatious complaints under this Resolution.

5. A copy of detailed notification is available on the web-site of the Commission <http://www.cvc.nic.in>.

Public Notices

GOI Resolution on Public Interest Disclosure and Protection of Informer

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to any employee of the Central Government or of any corporation established by or under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.**

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the identity of the complainant secret. **Hence, it is informed to the general public that any complaint, which is to be made under this resolution should comply with the following aspects.**

- i) The complaint should be in a **closed / secured envelope**.
- ii) The envelope should be addressed to Secretary, Central Vigilance Commission and should be **superscribed "Complaint under The Public Interest Disclosure"**. If the envelope is not superscribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the Commission. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.
- iii) Commission will **not entertain anonymous/pseudonymous** complaints.
- iv) The text of the complaint should be carefully drafted so as **not to give any details or clue as to his/her identity**. However, the details of the complaint should be specific and verifiable.
- v) In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are **advised not to enter into any further correspondence** with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.

4. The Commission can also take **action against complainants making motivated/vexatious complaints** under this Resolution.

5. A copy of detailed notification is available on the web-site of the Commission <http://www.cvc.nic.in>.

Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi.

**Sd/-
Secretary
Central Vigilance Commission**

Telegraphic Address :
"SATARKTA: New Delhi

E-Mail Address
cenvigil@nic.in

Website
www.cvc.nic.in

EPABX
24600200

फैक्स / Fax : 24651186



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023

सं./No. CONI/MISC/19/02/412853

दिनांक / Dated 11.03.2019

Circular No. 02/03/2019

Subject:- Applicability of provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, 2004 and adoption of Whistle Blower Mechanism in the Public Sector Banks.

As per Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 the Central Vigilance Commission has been named "as the **Designated Agency**, to receive written complaints or disclosure on any allegation of corruption or of misuse of office by any employee of the Central Government or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government".

2. Subsequently, vide Department of Personnel and Training's Resolution dated 14.08.2013, the Chief Vigilance Officers of the Ministries or Departments of the Government of India were also authorised as the "**Designated Authority**" to receive written complaint or disclosure on any allegation of corruption or misuse of office by any employee of that Ministry or Department or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government and falling under the jurisdiction of that Ministry or the Department.

3. From the provisions of the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 and its amendment dated 14.08.2013, it is clear that:-

- (i) The Central Vigilance Commission is the only "**Designated Agency**" to receive complaints from Whistle Blowers under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and to supervise and monitor the progress of investigation into such complaints.
- (ii) The Chief Vigilance Officers of the Ministries or Departments of the Government of India are declared as the "**Designated Authority**" to receive complaints against employees of that Ministry or Department or organization falling under the jurisdiction of that Ministry or the Department.

Contd...2...

68

- (iii) The Chief Vigilance Officer or any other authority of any Public Sector Bank has **not** been declared as the "Designated Authority" to receive complaints, under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution.

4. However, it has been observed that Public Sector Banks have, suo-moto, adopted the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 & its amendment dated 14.08.2013 and have suo-moto declared the CVOs of the respective banks as the "**Designated Authority**" to receive complaints under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution. Such action by the banks is a violation of the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, which does not envisage direct handling of PIDPI complaints by banks etc.

5. As far as the Whistle Blower Mechanism in Public Sector Banks is concerned, it is observed that the banks are governed by the provisions of Section 177 of the Companies Act, 2013; guidelines dated 17.04.2014 issued by Securities and Exchange Board of India (SEBI) regarding Clause 49 of Listing Agreement between the listed entity and the Stock Exchange; and guidelines/directions dated 01.07.2016 issued by Reserve Bank of India under Section 35 (A) of Banking Regulation Act etc.; as the case may be, which specifically provide for a "**Whistle Blower Mechanism**" for the **employees of the organizations**, to report allegations of corruption or misuse of office by the authorities of that organization.

6. From the Acts/guidelines, as quoted above, it is observed that:-

- (i) Public Sector Banks etc. need to have an internal Whistle Blower Mechanism, through which the Directors and employees of the organizations can report about the unethical practices/irregularities/fraud etc.
- (ii) This internal Whistle Blower Mechanism is available only to the employees of the organization and not to the general public.
- (iii) Under the provisions of Companies Act and SEBI's guidelines, the Whistle Blower Complaints are to be made to the Audit Committee, which includes direct access to the Chairman of the Audit Committee by the Whistle Blower.
- (iv) Under the provisions of RBI's directions, the Whistle Blowers Complaints are to be scrutinized by the Fraud Monitoring Group (FMG) of the bank concerned.
- (v) The Chief Vigilance Officers of the organizations concerned is not authorized to receive complaints directly from the Whistle Blowers (employees of the organizations), as per the provisions contained in the Companies Act, 2013 and RBI directions dated 01.07.2016 mentioned above.

7. In view of the above, the Commission directs that:-

- (i) The management of Public Sector Banks should not quote/mention the provisions of PIDPI Resolution dated 21.04.2004 and its amendment dated 14.08.2013, in its Whistle Blower Policy.

Contd...3...

69

- (ii) The CVO of the respective bank or any other authority of the bank should not be declared as the Designated Authority to receive complaints under the provisions of PIDPI Resolution.
 - (iii) The management of Public Sector Banks should adopt a Whistle Blower Mechanism, which must be in accordance with the provisions of Companies Act/RBI guidelines and SEBI guidelines, as may be applicable to them.
8. Public Sector Banks, who have suo-moto adopted the Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, should, immediately modify the guidelines issued by them regarding Whistle Blower Mechanism in their respective organizations accordingly.
9. The Central Vigilance Commission may be intimated about the modified guidelines and a copy of the same may also be forwarded to it for its perusal.



(Rajiv Verma)
Officer on Special Duty

To,

- (i) Chairman/MD & CEO of All Public Sector Banks.
- (ii) CVOs of All Public Sector Banks
- (iii) CVO, Department of Financial Services, to ensure that in the Whistle Blower Policy of the Public Sector Banks, there is no mention of the Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and the banks' Whistle Blower Mechanism should adhere to the specific guidelines issued by the agencies concerned.

C.V.C.
Received on: 15 MAR 2019
Time:
.....

Department of Financial Services(Banking Division),
(Shri Ravi Mital, Additional Secretary & Chief Vigilance Officer),
Jeevandeep Building,
Parliament Street,
New Delhi- 110001.

FD

O/c Me

C. V. C.

Received on :

Time :

15 MAR 2019



ALLAHABAD BANK,
(SH. ARUN KUMAR VERMA, CVO),
2, NETAJI SUBHAS ROAD,
KOLKATA-700001.

71

ANHRA BANK,
(SH. ARVIND A, CVO),
HEAD OFFICE,
DR. PATTABHI BHAVAN SAIFABAD,
HYDERABAD-500004

BANK OF BARODA,
(SH. K N NAYAK, CVO),
BARODA CORPORATE CENTRE,
C-26, G-BLOCK, BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

BANK OF INDIA,
(SHRI DEVENDRA SHARMA, CVO),
STAR HOUSE, 1ST FLOOR,
C-5, G-BLOCK, BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

BANK OF MAHARASHTRA,
(SHRI LAXMINARAYAN RATH, CVO),
CENTRAL OFFICE, "LOKMANGAL", 1501,
SHIVAJINAGAR,
PUNE-411 005.

CANARA BANK,
(SHRI B UMA SANKAR, CVO),
VIGILANCE WING, III FLOOR,
HEAD OFFICE. NO. 112, J C ROAD,
BANGALORE - 560002.

e.v.c.
Received on: 15 MAR 2019
Time: A

o/c @

72

CORPORATION BANK,
(SH. CHI PRABHAKARA RAO, CVO),
P.B NO. 88, HEAD OFFICE MANGALADEVI TEMPLE ROAD,
PANDESIWAR, MANGALURU-575001. ✓

CENTRAL BANK OF INDIA,
(SH. C.V. VENKATESH, CVO),
CENTRAL OFFICE, CHANDER MUKHI, ✓
NARIMAN POINT,
MUMBAI-400021

DENA BANK,
(SH. PARSHURAM PANDA, CVO),
DENA CORPORATE CENTRE,
SECTT. C-10, G-BLOCK, 6TH FLOOR, ✓
BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

EXIM BANK OF INDIA,
(SH. USHA RAVI, CVO),
MAKER CHAMBERS IV, ✓
FLOOR 8, 222, NARIMAN POINT,
MUMBAI-400021.

INDIAN BANK,
(SHRI SUDHAKAR R IYER, CVO),
CORPORATE OFFICE, ✓
254-260, AVVAI SHANMUGAM SALAIA,
ROYAPETTAH,
CHENNAI-600014.

INDIAN OVERSEAS BANK,
(SH. K. VENKATACHALAPATHY, CVO), ✓
CENTRAL OFFICE, P.O-3765,763
ANNA SALAI,
CHENNAI-600 002.

73

IDBI BANK,
(SMT. USHA RAVI, CVO),
IDBI TOWER, WTC COMPLEX,
CUFF PARADE,
MUMBAI-400005. ✓

NATIONAL HOUSING BANK,
(SH. M V S N MURTHY, CVO),
INDIA HABITAT CENTRE
CORE-5A, LODHI ROAD,
NEW DELHI-110003. ✓

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT, ✓
(SMT. S SRIMATHY, CVO),
PLOT NO. C-24,G-BLOCK,
PB 8121, BANDRA KURLA COMPLEX,
BANDRA, MUMBAI - 400 051.

ORIENTAL BANK OF COMMERCE,
(SH. ATUL SINHA, CVO),
PLOT NO. 5, INSTITUTIONAL AREA, ✓
SECTOR-32,
GURGAON-122001.

PUNJAB NATIONAL BANK,
(SH. SATISH KUMAR NAGPAL, CVO),
HEAD OFFICE, 7, BIIKAJI CAMA PLACE, ✓
NEW DELHI-110066.

PUNJAB & SIND BANK,
(SHRI SANJAY JAIN, CVO),
HO VIGILANCE DEPARTMENT, ✓
BANK HOUSE 21, 4TH FLOOR,
RAJENDRA PLACE,
NEW DELHI-110008.

74

STATE BANK OF INDIA,
(SMT. S. SRIMATHY, CVO),
CORPORATE CENTER, STATE BANK BHAVAN,
VIGILANCE DEPARTMENT, 8TH FLOOR,
MADAME CAMA ROAD,
MUMBAI-400021.

SYNDICATE BANK,
(SHRI PRABHAKAR RAO, CVO),
CORPORATE OFFICE, 2ND CROSS,
GANDHINAGAR,
BANGALORE-560009.

VIJAYA BANK,
(SH UMESH KUMAR SINGH, CVO),
41/2, M.G. ROAD,
TRINITY CIRCLE,
BANGALORE-560001.

UNITED BANK OF INDIA,
(SH. ARUN KUMAR VERMA, CVO),
HEAD OFFICE, 16,
HEMANTA BASU SARANI,
KOLKATA-700001.

UNION BANK OF INDIA,
(SH. M V S N MURTHY, CVO),
UNION BANK BHAVAN,
239, VIDHAN BHAVAN MARG,
NARIMAN POINT, MUMBAI-400021

UCO BANK,
(SH. PRADEEP KUMAR, CVO),
HO, 10, BTM SARANI,
KOLKATA-700001.

ALLAHABAD BANK,
(SHRI RAJNISH KUMAR, CHAIRMAN)
2, NETAJI SUBHAS ROAD,
KOLKATA-700001.

75

ANDHRA BANK,
(SHRI J PACKIRISAMY, MD & CVO)
HEAD OFFICE,
DR. PATTABHI BHAVAN SAIFABAD,
HYDERABAD-500004

BANK OF BARODA,
(SHRI P. S. JAYAKUMAR, MD & CEO)
BARODA CORPORATE CENTRE,
C-26, G-BLOCK, BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

BANK OF INDIA,
(SHRI DINA BANDHU MOHAPATRA, MD & CEO),
STAR HOUSE,
C-5, G-BLOCK, BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

BANK OF MAHARASHTRA,
(SHRI A S RAJEEV, MD & CEO),
CENTRAL OFFICE, "LOKMANGAL", 1501,
SHIVAJINAGAR,
PUNE-411 005.

CANARA BANK,
(SHRI T. N. MANOHARAN, CHAIRMAN),
VIGILANCE WING,
HEAD OFFICE, NO. 112, J C ROAD,
BANGALORE - 560002.

of c De

C.V.C.
Received on:
Time: 15 MAR 2019
.....

76

CORPORATION BANK,
(SHRI P V BHARATHI, MD & CEO),
P.B NO. 88, HEAD OFFICE MANGALADEVI TEMPLE ROAD,
PANDESHWAR, MANGALURU-575001.

CENTRAL BANK OF INDIA,
(SHRI PALLAV MOHAPATRA, MD & CEO)
CENTRAL OFFICE, CHANDER MUKHI,
NARIMAN POINT,
MUMBAI-400021

DENA BANK,
(SHRI KARNAM SEKAR, MD & CEO),
DENA CORPORATE CENTRE,
SECTT. C-10, G-BLOCK,
BANDRA KURLA COMPLEX,
BANDRA (EAST), MUMBAI-400051.

EXIM BANK OF INDIA,
(MD & CEO),
MAKER CHAMBERS IV,
FLOOR 8, 222, NARIMAN POINT,
MUMBAI-400021.

INDIAN BANK,
(SHRI PADMAJA CHUNDURU, MD & CEO), ✓
CORPORATE OFFICE,
254-260, AVVAI SHANMUGAM SALAIA,
ROYAPETTAH,
CHENNAI-600014.

INDIAN OVERSEAS BANK,
(SHRI R. SUBRAMANIAKUMAR, MD & CEO),
CENTRAL OFFICE, P.O-3765,763
ANNA SALAI,
CHENNAI-600 002.

77

IDBI BANK,
(SHRI RAKESH SHARMA, MD & CEO),
IDBI TOWER, WTC COMPLEX,
CUFF PARADE,
MUMBAI-400005.

NATIONAL HOUSING BANK,
(MD & CEO),
INDIA HABITAT CENTRE
CORE-5A, LODHI ROAD,
NEW DELHI-110003.

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT,
(MD & CEO),
PLOT NO. C-24,G-BLOCK,
PB 8121, BANDRA KURLA COMPLEX,
BANDRA, MUMBAI - 400 051.

ORIENTAL BANK OF COMMERCE,
(SHRI MUKESH KUMAR JAIN, MD & CEO),
PLOT NO. 5, INSTITUTIONAL AREA,
SECTOR-32,
GURGAON-122001.

PUNJAB NATIONAL BANK,
(SHRI SUNIL MEHTA, MD & CEO),
HEAD OFFICE, 7, BHIKAJI CAMA PLACE,
NEW DELHI-110066.

PUNJAB & SIND BANK,
(SHRI S. HARI SHANKER, MD & CEO),
HO VIGILANCE DEPARTMENT,
BANK HOUSE 21,
RAJENDRA PLACE,
NEW DELHI-110008.

78

STATE BANK OF INDIA,
(SHRI RAJNISH KUMAR, CHAIRMAN),
CORPORATE CENTER, STATE BANK BHAVAN,
VIGILANCE DEPARTMENT,
MADAME CAMA ROAD,
MUMBAI-400021.

SYNDICATE BANK,
(SHRI MRUTYUNJAY MAHAPATRA, MD & CEO),
CORPORATE OFFICE, 2ND CROSS,
GANDHINAGAR,
BANGALORE-560009.

VIJAYA BANK,
(SHRI R.A.SANKARA NARAYANAN, MD & CEO),
41/2, M.G. ROAD,
TRINITY CIRCLE,
BANGALORE-560001.

UNITED BANK OF INDIA,
(SHRI ASHOK KUMAR PRADHAN, MD & CEO),
HEAD OFFICE, 16,
HEMANTA BASU SARANI,
KOLKATA-700001.

UNION BANK OF INDIA,
(SHRI RAJKIRAN RAI G, MD & CEO),
UNION BANK BHAVAN,
239, VIDHAN BHAVAN MARG,
NARIMAN POINT, MUMBAI-400021

UCO BANK,
(SHRI ATUL KUMAR GOEL, MD & CEO),
HO, 10, BTM SARANI,
KOLKATA-700001.