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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.

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- (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.

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

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Received on : .....

Time : .....

15 MAR 2019

*[Signature]*

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

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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, 1<sup>ST</sup> 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. ✓

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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,  
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MAKER CHAMBERS IV, ✓  
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MUMBAI-400021.

INDIAN BANK,  
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CORPORATE OFFICE, ✓  
254-260, AVVAI SHANMUGAM SALAIA,  
ROYAPETTAH,  
CHENNAI-600014.

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

73

IDBI BANK,  
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CUFF PARADE,  
MUMBAI-400005. ✓

NATIONAL HOUSING BANK,  
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INDIA HABITAT CENTRE  
CORE-5A, LODHI ROAD,  
NEW DELHI-110003. ✓

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT, ✓  
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ORIENTAL BANK OF COMMERCE,  
(SH. ATUL SINHA, CVO),  
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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, 4<sup>TH</sup> FLOOR,  
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74

STATE BANK OF INDIA,  
(SMT. S. SRIMATHY, CVO),  
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SYNDICATE BANK,  
(SHRI PRABHAKAR RAO, CVO),  
CORPORATE OFFICE, 2<sup>ND</sup> CROSS,  
GANDHINAGAR,  
BANGALORE-560009.

VIJAYA BANK,  
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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)  
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