



सर्व हरियाणा ग्रामीण बैंक
Sarva Haryana Gramin Bank
(भारत सरकार का उपक्रम) (Govt. of India Undertaking)

प्रायोजक : पंजाब नेशनल बैंक



Sponsored by: Punjab National Bank

Inspection & Audit Division, Head Office, Plot No. 1, Sector 3, Rohtak-124001

Email: hoinspshgb@shgbank.co.in

TO ALL OFFICES

Date : 31.03.2023

INSPECTION & AUDIT DIVISION CIRCULAR
NO. : 18/2023

Reg : **Whistle Blower Policy 2023-24.**

Whistle Blower Policy 2022-23 of the Bank was approved by Board in its 60th meeting held on 23.03.2022 & was circulated vide I&AD Circular No. 10/2022 dated 29.03.2022.

Whistle Blower Policy of the Bank has been reviewed and the same has been approved by the Board in its 68th meeting held on 27.03.2022.

The approved Whistle Blower Policy 2023-24 of the Bank is enclosed as **Annexure 'A'**.

All concerned are advised to note the contents.

(Rohit Nijhawan)
General Manager

Encl: Annexure 'A'

I&A Division Circular No. 18/2023, Whistle Blower Policy, "Confidential, Strictly for internal circulation only"

BACKGROUND

1. Sarva Haryana Gramin Bank (herein after referred to as Bank) is committed to the highest standards of ethics & integrity. The Bank encourages an open culture in all its dealings between staff, managers, customers and all people with whom it comes into contact.
2. The bank shall establish a vigil mechanism for directors, employees and any stake holder to report concerns about unethical behaviour, actual or suspected fraud or violation of the bank's code of conduct or ethics policy.
3. This policy is framed in the light of provisions of Companies Act/ RBI guidelines / SEBI Guidelines as applicable and relevant to bank.
4. This mechanism aims at providing adequate safeguards against victimization of all concerned that avail of the mechanism.

OBJECTIVE

5. This Policy aims to establish a mechanism to receive protected disclosure relating to any allegation of corruption or wilful misuse of power or wilful misuse of discretion against any employee of the bank and to inquire or cause an inquiry into such disclosure and to provide adequate safeguards against victimization of the person making such protected disclosure and for matters connected therewith and incidental thereto.

COMPETENT AUTHORITY

6. The General Manager (I&AD) ex-officio will be the Competent Authority to deal with the protected disclosure received under provisions of this Policy.

ELIGIBILITY

7. Various stake holders of the bank are eligible to make Protected Disclosures under this policy. These stakeholders may fall into any of the following broad categories:
 - (i) Directors of the Bank
 - (ii) Employee of the bank
 - (iii) Employees of other agencies deployed for the bank activities, whether working from any of the bank's offices or any other location.
 - (iv) Contractors, vendors, suppliers or agencies (or any of their employee) providing any material or service to the Bank.
 - (v) Any other stakeholder.

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PUBLIC INTEREST DISCLOURE

8. As a socially responsible organization, the Bank believes in conducting its affairs in a fair & transparent manner by adopting the highest standards of professionalism, honesty, integrity and ethical behaviour. The Bank is committed to develop a culture, where it is safe for all, who alarms concerns about any unacceptable/unethical practice or misconduct at any level.

9. As such, in case the complainant has reasonable grounds of having observed unethical and improper practices or any other wrongful conduct in any of the departments/offices /Branches of the Bank, he may m a k e a **disclosure** under this policy.

10. Every disclosure made as per the provisions of this Policy shall be treated as public interest disclosure before the Competent Authority.

11. Every disclosure shall be made in good faith and the person making protected disclosure shall make a personal declaration stating that he/she reasonably believes that the information disclosed by him/her and allegation contained therein is substantially true.

12. Whistle Blower shall also declare that he has not made any complaint on the same subject matter to any outside Authority / Agency or higher executives of the bank, prior to this disclosure.

13. Every protected disclosure shall be made in writing or by electronic mail in accordance with the prescribed procedure as per Para 10 of this policy, containing full particulars and be accompanied by supporting documents, or other materials, if any.

14. The Competent Authority may, if it deems fit, call for further information or particulars from the person making the disclosure.

15. No action shall be taken on public interest disclosure by the Competent Authority, if the disclosure does not indicate the identity of the complainant or the identity of the complainant is found incorrect.

SCOPE

16. All stakeholders are encouraged as a preventive vigilance measure to report incidences of financial misconduct, wherever noticed.

17. The policy intends to help all stakeholders who may have concerns over any wrong doing within the Bank to report unlawful conduct, misconduct, malpractices, violation of any legal or regulatory provisions, financial mismanagement, accounting irregularities etc.

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18. Though an exhaustive list of activities that constitute such misconduct/ malpractice / violations cannot be enumerated, it is expected that the following acts may be reported under this Policy:

- (i) Criminal offence (e.g. frauds, corruption or theft) committed / likely to be committed.
- (ii) Failure to comply with legal / regulatory provision
- (iii) KYC/AML violations to provide some undue advantage to anyone.
- (iv) Breach of client promises by the Bank
- (v) Bank funds used in an unauthorised manner
- (vi) Sexual or physical abuse of a member of staff, service recipient or service provider.
- (vii) Any other form of improper action or conduct
- (viii) Information relating to any of the above deliberately concealed or attempts being made to conceal the same
- (ix) Fraudulent activity in an account.

19. Whistle Blower can make a disclosure against any employee / officer of the bank upto level of Chief Manager.*

*As regard disclosure against any General Manager it is to be lodged with Chairman and disclosure against any Director or Chairman, it can be lodged under Govt. of India PIDPI regulations to designated authority like CVC or Secretary, DFS.

WHISTLE BLOWER'S ROLE

20. The Whistle Blower's role is that of a reporting party with reliable information. He/she is not required or expected to act as investigator or fact finder, nor would he/she determine that appropriate corrective or remedial action that may be warranted in a given case.

INQUIRY IN RELATION TO DISCLOSURE BY WHISTLE BLOWER:

21. The Competent Authority shall, upon receipt of the protected disclosure while concealing the identity of the complainant, shall make discreet inquiry within maximum period of 45 days, to ascertain whether there is any basis for proceeding further to investigate the disclosure.

22. The Competent Authority may close the matter, if after conducting an inquiry, is of the opinion that:

The facts and allegation contained in the disclosure are frivolous or vexatious

: or

There are no sufficient grounds for proceeding with the inquiry

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23. Any disclosure relating to Fraud and subject matters having vigilance implications may be referred to Vigilance Officer for further action.

24. After conducting the investigation, if Competent Authority is of the opinion that report reveals either wilful misuse of discretion or substantiates allegation of corruption, it shall take following steps:

(a) Recommend to appropriate authority for initiation of disciplinary proceeding or administrative action against the erring official(s) as per bank guidelines.

(b) Recommend for taking of corrective measure.

25. The Competent Authority, on the merits of the case may or may not decide to go for personal hearing before closure of the matter.

26. Following matters shall not be entertained or inquired into by the Competent Authority to the extent:

(a) If any matter specified or an issue raised in a disclosure has been determined by a Court or Tribunal authorized to determine the issue, after consideration of the matter specified or issue raised in the disclosure, the Competent Authority shall not take notice of the disclosure to the extent that the disclosure seeks to reopen such issue.

(b) If any public inquiry has already been ordered under the Public Servants Act or referred for inquiry under the Commission of Inquiry Act.

(c) If the protected disclosure is made after the expiry of seven years from the date on which the action complained against is alleged to have taken place.

27. The Competent Authority shall not question any bonafide action or discretion used by the official as per business rules.

WHISTLE BLOWER'S PROTECTION

28. If one raises a concern under this policy, he/ she will not be at risk of suffering any form of reprisal or retaliation. Retaliation includes decimation, reprisal, harassment or vengeance in any manner. The bank will not tolerate the harassment or victimization of any one raising a genuine concern. The protection is available provided that:

(i) The communication / disclosure is made in good faith

(ii) He / she reasonably believe that information, and any allegation contained in it, is substantially true.

(iii) He / she is not acting for personal gain.

29. Bank will not disclose the identity, without his / her consent. If the situation arises where Bank is not able to resolve the concern without revealing the identity (for instance because his/ her evidence is needed in court), bank will discuss with his/ her the matter in which bank propose to proceed, and within the confines of statutory requirements endeavor to meet his/ her preference on revealing the identity.

PROCEDURE FOR REPORTING

30. Any disclosure which is to be made under provisions of Whistle Blower Policy should comply with the following aspects:-

i) The disclosure should be sent in a secured manner by way of closed envelope to the General Manager (I&AD).

ii) The envelope should be addressed to the officials as mentioned above and should be superscribed "**Disclosure under the provisions of Whistle Blower Policy**". The complainant should only give his / her name and address either in the beginning of the text of the disclosure or at the end of it.

iii) If the Whistle Blower wants that his/ her name should not be disclosed, the text of the disclosure should be carefully drafted so as not to give any details or clue as to his/her identity. However, the details of the disclosure should be specific and verifiable.

iv) In order to have a speedy disposal of these disclosures the Whistle Blower should submit disclosure in a closed envelop **super scribed "Disclosure under the provisions of Whistle Blower Policy"**. If the envelope is not super scribed and closed, it will not be possible for the Bank to cover the identity of the complainant.

MODALITY OF OPERATION AT THE BANK LEVEL

31. The Whistle Blower shall lodge the disclosure to the General Manager (I&AD) in a closed/ secured envelope marked as "Disclosure under the provisions of Whistle Blower Policy" at the following address:

The General Manager (I&AD).
Sarva Haryana Gramin Bank
Head Office, Plot No. 1,
Sector - 3, Rohtak, -124001

Alternatively, the Whistle Blower can disclose through email at shgbcomplaints@mail.com which will be dealt with by General Manager (I&AD). Whistle Blowers are advised to preferably use this mode as it will help in concealment of identity of whistle blower.

32. All the disclosure received under this Policy will be opened in the presence of General Manager (I&AD), by an authorized official of Board & Coordination Division, designated in this regard by General Manager (I&AD). Once, the General I&A Division Circular No. 18/2023, Whistle Blower Policy, "Confidential, Strictly for internal circulation only"

Manager (I&AD) decides that this disclosure can be considered under the Whistle Blower Policy, the authorized official will enter it in a Corporate Register containing brief particular of the disclosure received under this Policy. He / she shall assign a Unique Reference Number (URN) to each disclosure. All inter-office correspondence in respect of disclosures received under Whistle Blower Policy will be done citing only Unique Reference Number (URN) and not the name of Whistle Blower.

OTHER ASPECTS

33. Whistle blower should refrain from sending reminder or seeking further development/ action taken regarding disclosure made by him so as to protect his/her identity.

34. An employee who knowingly makes false allegations of unethical & improper practices or alleged wrongful conduct shall be subject to disciplinary action and will not be protected under the policy.

35. All reports received in writing or documented, along with the result of investigation relating thereto, shall be retained by the Bank for period of seven years from the date of closure.

36. The matters related to Appointments, Postings & Transfers etc. will not be normally entertained under Whistle Blower Policy. For these types of matters, complainant may use any other mechanism.

37. The standard operating procedure (SOP) for smooth rollout of this policy will be kept updated by the ACB.

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STANDARD OPERATING PROCEDURE

PROCEDURAL GUIDELINES FOR HANDLING PROTECTED DISCLOSURE MADE BY WHISTLE BLOWER

- i. All the protected disclosures received under this Policy will be opened in the presence of the General Manager (I&AD) by an authorized official designated by General Manager (I&AD).
- ii. Once, the General Manager (I&AD) decides that this disclosure can be considered under the Whistle Blower Policy, the authorised official will enter it in a Corporate Register containing brief particulars of the disclosure received under this Policy. He / she shall assign a Unique Reference Number (URN) to each disclosure.
- iii. All inter-office correspondence in respect of disclosure received under Whistle Blower Policy will be done citing only Unique Reference Number (URN) and not the name of Whistle Blower.
- iv. For disclosure received through email at shgbcomplaints@mail.com, General Manager (I&AD), after examining the email, if he decides that this disclosure can be considered under the Whistle Blower Policy, he will forward mail to the authorised official for entering in the Corporate Register and assigning a Unique Reference Number.
- v. Within a reasonable period of receipt of a disclosure the Authorised official shall provide an acknowledgement, followed by an initial response to the Whistle Blower on a selective basis.
- vi. The authorised official of I&A Division will furnish a brief note covering all details about the matter that Whistle Blower wishes to report. Authorised Official should not mention in this note the name or any other particulars that may identify the Whistle Blower.
- vii. Copies of documents that may help in establishing the veracity of the report may preferably be attached to the note. However, care may be taken that these paper do not contain the name or any other particulars indicating the Whistle Blower's identity.
- viii. The aforesaid note along with instruction of General Manager (I&AD) should be sent along with a forwarding letter / email message to Regional Office concerned or to a Sr. Auditor for further investigation in the matter and to take appropriate action.
- ix. Regional Manager/ Chief Manager HO (I&AD) / Vigilance Division (for matters referred to CVO) may investigate the disclosure at its own / may assign the investigation to any official in the field. I&AD will put-up status to the ACB on quarterly basis.
- x. The General Manager (I&AD) may recommend the matter for Disciplinary action or administrative action.
- xi. The Board Division will include the confirmation in Annual Disclosures that no person has been denied access to the General Manager (I&AD).
- xii. If there is any serious issue involved in any type of disclosure, the matter shall be brought to the notice of the Chairman.
- xiii. ACB will monitor all cases of Whistle Blower disclosures regularly and keep the Board informed through the minutes of ACB meeting / or as deemed appropriate.

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