



## **WHISTLE BLOWER POLICY**

**PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMER**

**NATIONAL HANDICAPPED FINANCE AND DEVELOPMENT CORPORATION  
(Department of Disability Affairs,  
Ministry of Social Justice & Empowerment)  
Red Cross Bhawan, Sector-12, Faridabad – 121 007.**

# **NATIONAL HANDICAPPED FINANCE AND DEVELOPMENT CORPORATION**

## **WHISTLE BLOWER POLICY**

### **PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMER**

#### **Objective**

The objective of this policy is to provide opportunity to employees access, in good faith, to the Chairman of the Audit Committee, in exceptional cases, in case they observe unethical and improper practices or any other wrongful conduct in the National Handicapped Finance and Development Corporation (NHFDC) and to prohibit managerial personnel from taking any adverse personnel action against those employees.

#### **Applicability**

This policy applies to all permanent employees of NHFDC.

#### **Complaint Handling Mechanism**

The Government of India vide office order no.04/02/12 dated 13.02.2012 has authorized the Central Vigilance Commission as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

Following guidelines, as laid down by CVC, will be followed while handling complaints received under **"Whistle Blower Policy - Public Interest Disclosure and Protection of Informer"**

- i) CVC shall, as the Designated Agency appointed by the Government of India, receive written complaints or disclosure on any allegation of corruption or of misuse of office by any employee of the Corporation.
- ii) The Designated Agency will ascertain the identity of the complainant, if the complainant is anonymous, it shall not take any action in the matter.
- iii) The identity of the complainant will not be revealed unless the complainant himself / herself has made either the details of the complaint public or disclosed his /her identity to any other office or authority.
- iv) While calling for further report/investigation, CVC shall not disclose the identity of the informant and also shall request the concerned head of the organisation to keep the identity of the informant a secret, if for any reason the head comes to know the identity.
- v) CVC shall be authorised to call upon the CBI or the police authorities, as considered necessary, to render all assistance to complete the investigation pursuant to the complaint received.

- vi) If any person is aggrieved by any action on the ground that he is being victimized due to the fact that he had filed a complaint or disclosure, he may file an application before CVC seeking redress in the matter, wherein CVC may give suitable directions to the concerned person or the authority.
- vii) If CVC is of the opinion that either the complainant or the witnesses need protection, it shall issue appropriate directions to the concerned government authorities.
- viii) In case CVC finds the complaint to be motivated or vexatious, it shall be at liberty to take appropriate steps.
- ix) CVC shall not entertain or inquire into any disclosure in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850, or a matter that has been referred for inquiry under the Commissions of Inquiry Act, 1952.
- x) In the event of the identity of the informant being disclosed in spite of CVC's directions to the contrary, CVC is authorised to initiate appropriate action as per extant regulations against the person or agency making such disclosure.

**Modalities to be observed while lodging complaints under Whistle Blower Policy.**

Any complaint which is to be made under this policy should comply with the following aspects :

- i) The complaint should be in a closed / secured envelope and must be sent directly to the Central Vigilance Commission, at the following address:  
  
The Secretary,  
Central Vigilance Commission, Government of India,  
Satarkata Bhavan, GPO Complex, Block "A", INA, New Delhi-110 023
- 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 CVC to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of CVC. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.
- iii) CVC 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, CVC will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with CVC in their own interest. CVC 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 on PIDPI (Public Interest Disclosure and Protection of Informer). If any further clarification is required, CVC will get in touch with the complainant.

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

**Procedure of Lodging Complaint under “Whistle Blower Policy - Public Interest Disclosure and Protection of Informer’s Resolution (PIDPIR)”**

Complaints under “Public Interest Disclosure and Protection of Informer” Resolution can be made only by post. The envelope should be superscribed “PIDPI” or “Whistle Blower”. The complainant should refrain from giving his name on the body of the letter. The personal details should be separately given or given at the top or end of the letter so that they can be easily blocked out.

If any person is victimised due to the fact he had filed a complaint under the Whistle Blower provisions, he may file an application before the Commission seeking redressal in the matter. Commission would then intervene suitably to protect the complainant.

**Whistle Blower Complaints - Public Interest Disclosure and Protection of Informer’s Resolution(PIDPR)**

If a complainant while exposing a case of corruption wants his identity to be kept secret, he/she should lodge a complaint under Public Interest Disclosure and Protection of Informers Resolution (PIDPIR) –popularly known as Whistle Blower Provision. Commission is mandated not only to maintain the secrecy of the complainant’s identity but also provide protection to the complainant against any physical threat, harassment or victimization.

**Action to be taken by CVO for Handling Complaints received under “Whistle Blower Policy - Public Interest Disclosure and Protection of Informer’s Resolution (PIDPIR)”**

The CVO, NHFDC is required to take the following actions with respect to the complaints forwarded by the commission (CVC) under Public Interest Disclosures & Protection of Informer policy :-

- 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,NHFDC 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.

\*\*\*\*\*