

# TEA BOARD OF INDIA

## *WHISTLE BLOWER POLICY*

### **1. Background:**

The Board believes in the conduct of the affairs of its constituents in a fair and transparent manner by adopting highest standards of professionalism, honesty, integrity and ethical behaviour.

The Board is committed in developing a culture where it is safe for all employees to raise concerns about any poor or unacceptable practice and any event of misconduct.

As per the requirement of the Central Vigilance Commission for having a mechanism called “Whistle Blower Policy” for all public servants to report to the management of the Board of any instance of unethical behaviour, actual or suspected fraud or violation of the Board’s rules and by-laws or ethics policy, which may have serious repercussion on the Board’s working.

The purpose of this policy is to provide a framework to promote responsible and secure whistle blowing to prohibit managerial personnel from taking any adverse action against such whistle blowers. It protects employees wishing to raise a concern about serious irregularities within the Board.

### **2. Applicability:**

This policy applies to all permanent employees of the Board.

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### **3. Definitions:**

#### **3.1 Alleged Wrongful Conduct**

Alleged wrongful conduct shall mean violation of law, infringement of Tea Board's rules ,by-laws & code of conduct or ethic policies, mismanagement, misappropriation of monies, actual or suspected fraud, substantial and specific danger to public health and safety or abuse of authority.

### **3.2 Board**

Board means "TEA BOARD OF INDIA".

### **3.4 Compliance Officer**

Compliance Officer means "Chief Vigilance Officer (CVO)" of the Board.

### **3.5 Good Faith**

An employee shall be deemed to communicating in `good faith` if there is a reasonable basis for communication of unethical & improper practices or any other alleged wrongful conduct. Good faith shall be deemed lacking when the employee does not have personnel knowledge of the actual basis for the communication or where the employee knew or reasonably should have known the communication about unethical and / or improper practices or alleged wrongful conduct is malicious, false or frivolous.

### **3.6 Officers of the Board**

Officers of the Board shall include Officers, Departmental head, superior or other employee who has authority to make or materially influence significant personnel decisions.

### **3.7 Policy**

Policy means "Whistle Blower Policy".

### **3.8 Whistle Blower**

An employee of the Board who discloses in good faith any unethical & improper practices or alleged wrongful conduct to the Competent Authority in writing.

## **4. Coverage of this Policy:**

4.1 This Policy covers malpractices and events which have taken place/ suspected to take place involving:

- a. Abuse of authority
- b. Breach of contract
- c. Negligence causing substantial and specific danger to public health and safety
- d. Manipulation of Board data/records
- e. Financial irregularities, including fraud, or suspected fraud

- f. Criminal offence
- g. Pilferation of confidential/propriety information
- h. Deliberate violation of law/regulation
- i. Wastage/misappropriation of Board funds/assets
- j. Breach of employee Code of Conduct or Rules
- k. Any other unethical, biased, favoured, imprudent event

4.2 Policy should not be used in place of the Board's grievance procedures or be a route for raising malicious or unfounded allegations against colleagues.

## **5. PROCEDURES/GUIDELINES:**

1. **Internal policy & Protection under Policy:** This policy an internal policy of the Board. This policy prohibits the Board to take any adverse action against its employees for disclosing in good faith any unethical & improper practices or alleged wrongful conduct to the Compliance Officer. Any employee against whom any adverse action has been taken due to disclosure of information under this policy may approach the Compliance Officer.
2. **False Allegation & Legitimate Employment Action:** An employee who knowingly makes false allegations of unethical & improper practices or alleged wrongful conduct to the Compliance Officer shall be subject to disciplinary action, including major penalty as per terms of employment, in accordance with Board rules, policies and procedures. Further this policy may not be used as a defense by an employee against whom an adverse personnel action has been taken independent of any disclosure of intimation by him and for legitimate reasons or cause under Board rules and policies.
3. **Disclosure & maintenance of Confidentiality:** An employee who observes any unethical & improper practices or alleged wrongful conduct in the Board may report the same to Compliance Officer through e-mail addressed to [dctboard@vsnl.net](mailto:dctboard@vsnl.net) in or by giving letter to the Chief Vigilance Officer in writing. Confidentiality of whistle blower shall be maintained to the greatest extent possible.

## **6. Procedures:**

- i) Any employee who observes any unethical & improper practices or alleged wrongful conduct shall make a disclosure to the Chief Vigilance Officer as soon as possible but not later than 30 consecutive working days after becoming aware of the same.
- ii) If the employee is unwilling or unable to put an oral disclosure in writing, he may approach Compliance Officer directly or through his superior or any other employee. The Compliance Officer shall prepare a written summary of the employee's disclosure and provide a copy to the employee.
- iii) Compliance Officer shall appropriately and expeditiously investigate all whistle blower reports received. In this regard, Compliance Officer, if the circumstances so suggest, may assign to a Senior Officer or a committee of Senior Officers to investigate into the matter.

## **7. Notification:**

All departmental heads are required to notify & communicate the existence and contents of this policy to the employees of their department. Every departmental head shall submit a certificate duly signed by him to the Compliance Officer that this policy was notified to each employees of his department. The new employees shall be informed about the policy by the Establishment department and statement in this regard should be periodically submitted to the Compliance Officer. This policy as amended from time to time shall be made available at the website of the Board.

## **8. Annual Affirmation:**

The Board shall annually affirm that it has not denied any personnel access to the Compliance Officer and that it has provided protection to whistle blower from adverse personnel action. The affirmation shall form part of the Annual Report of the Board.