



WHISTLEBLOWER POLICY

I. PREFACE

Centre for Wildlife Studies has adopted the Code of Ethics & Conduct, which lays down the principles and standards that should govern the actions of the Organisation and its employees. Any actual or potential violation of the Code, however insignificant or perceived as such, would be a matter of serious concern for the Organisation. The role of employees in pointing out such violations of the Code cannot be undermined. Accordingly, this Whistle Blower Policy (“the Policy”) has been formulated with a view to provide a mechanism for employees of the Organisation to raise concerns on any violations of legal or regulatory requirements, incorrect or misrepresentation of any financial statements and reports, etc.

II. OBJECTIVE

Centre for Wildlife Studies is committed to adhere to the highest standards of ethical, moral and legal conduct of operations. To maintain these standards, the Organisation encourages its employees who have concerns about suspected misconduct to come forward and express these concerns without fear of punishment or unfair treatment. This policy aims to provide an avenue for employees to raise concerns on any violations of legal or regulatory requirements, incorrect or misrepresentation of any financial statements and reports, etc.

III. POLICY

The Whistle Blower Policy intends to cover serious misconduct that could have grave impact on the operations and performance of the business of the Organisation.

The policy neither releases employees from their duty of confidentiality in the course of their work, nor is it a route for taking up a grievance about a personal situation.

This policy takes effect from **1st June, 2022**.

IV. DEFINITIONS

1. “Disciplinary Action” means any action that can be taken on the completion of/during the investigation proceedings including, but not limited to a warning, imposition of fine, suspension from official duties or any such action as is deemed to be fit considering the gravity of the matter.
2. “Employee” means every employee/intern/consultant/partner of the Organisation (whether working in India or abroad) and who has been issued with a written order to that effect.
3. “Protected Disclosure” means a concern raised by a written/oral communication made in good faith that discloses or demonstrates information that may evidence unethical or improper activity. Protected



Disclosures should be factual and not speculative in nature.

4. “Subject” means a person or group of persons against or in relation to whom a Protected Disclosure is made or evidence gathered during the course of an investigation under this Policy.
5. “Whistleblower” is someone who makes a Protected Disclosure under this Policy.
6. “Whistle Blower Officer” or “Committee” means an officer or Committee of persons who is/are nominated/ appointed to conduct a detailed investigation of the disclosure received from the whistle blower and recommend disciplinary action. The Committee, if appointed, should include Senior Level Officers of Personnel & Admin, Internal Audit and a representative of the Organisation.
7. “Organisation” means, “Centre for Wildlife Studies” including entities over which either the Organisation has management/administrative control or has a working partnership document.
8. “Good Faith”: An employee shall be deemed to be communicating in ‘good faith’ if there is a reasonable basis for communication of unethical and improper practices or any other alleged wrongful conduct. Good Faith shall be deemed lacking when the employee does not have personal knowledge on a factual basis for the communication or where the employee knew or reasonably should have known that the communication about the unethical and improper practices or alleged wrongful conduct is malicious, false or frivolous.
9. “Policy or This Policy” means, “Whistle Blower Policy.”
10. The Management Committee includes the senior Management of the Organisation.

V. SCOPE

Various stakeholders of the Organisation are eligible to make Protected Disclosures under the Policy. These stakeholders may fall into any of the following broad categories:

1. Employees/ interns/ consultants/ partners of the Organisation.
2. Employees of other agencies deployed for the Organisation’s activities, whether working from any of the Organisation’s premises or any other location.
3. Contractors, vendors, suppliers or agencies (or any of their employees) providing any material or service to the Organisation.
4. Any other person having an association with the Organisation.

A person not belonging to any of the above-mentioned categories can also avail of the channel provided by this Policy for raising an issue covered under this Policy.

The Policy covers malpractices and events which have taken place/ suspected to take place/may take place involving:

1. Abuse of authority



2. Breach of contract
3. Negligence causing substantial and specific danger to public health and safety
4. Manipulation of Organisation data/ records
5. Financial irregularities, including fraud or suspected fraud or Deficiencies in Internal Control and check or deliberate error in preparations of Financial Statements or Misrepresentation of financial reports
6. Any unlawful act whether Criminal/ Civil
7. Pilferage of confidential/ proprietary information
8. Deliberate violation of law/regulation
9. Wastage/ misappropriation of Organisation funds/assets
10. Bribery or corruption
11. Retaliation
12. Breach of IT Security and data privacy
13. Social Media Misuse
14. Breach of Organisation Policy or failure to implement or comply with any approved Organisation Policy
15. Breach of any other existing/future laws in force in India and abroad.

The Policy should not be used in place of the Organisation grievance procedures or be a route for raising malicious or unfounded allegations against colleagues.

VI. GUIDING PRINCIPLES

To ensure that this Policy is adhered to, and to assure that the concern will be acted upon seriously, the Organisation will:

1. Ensure that the Whistleblower and/or the person processing the Protected Disclosure is not victimised for doing so
2. Treat victimisation as a serious matter, including initiating disciplinary action on person/(s) indulging in victimisation
3. Ensure complete confidentiality
4. Not attempt to conceal evidence of the Protected Disclosure
5. Take disciplinary action, if any one destroys or conceals evidence of the Protected Disclosure made/to be made
6. Provide an opportunity of being heard to the persons involved, especially to the Subject.

VII. PROTECTION TO WHISTLEBLOWER

1. Any employee who raises a concern, oral or written, under this Policy, will not be subjected to retaliation



by the Organisation or any person acting in an official capacity on behalf of the Organisation. Retaliation includes discrimination, reprisal, harassment or vengeance in any manner. Organisation's employee will not be at the risk of losing her/ his job or suffer loss in any other manner like transfer, demotion, refusal of promotion, or the like, including any direct or indirect use of authority to obstruct the Whistle blower's right to continue to perform his/her duties/functions including making further Protected Disclosure, as a result of reporting under this Policy. The protection is available provided that:

- a. The Whistleblower/s has/have chosen to identify himself/themselves.
- b. The communication/ disclosure is made in good faith
- c. The Whistleblower reasonably believes that information, and any allegations contained in it, are substantially true; and
- d. The Whistleblower is not acting for personal gain.

Anyone who abuses the procedure (for example by maliciously raising a concern knowing it to be untrue) will be subject to disciplinary action, as will anyone who victimises a colleague by raising a concern through this procedure. If considered appropriate or necessary, suitable legal actions may also be taken against such individuals.

However, no action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.

2. The Organisation will not tolerate the harassment or victimisation of anyone raising a genuine concern. As a matter of general deterrence, the Organisation shall publicly inform employees of the penalty imposed and disciplinary action taken against any person for misconduct arising from retaliation. Any investigation into allegations of potential misconduct will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning an employee reporting a matter under this policy. Any other Employee/business associate assisting in the said investigation shall also be protected to the same extent as the Whistleblower.

ONLY IN EXCEPTIONAL CIRCUMSTANCES, the Organisation will look into anonymous disclosures while following the laid-down procedures.

VIII. ACCOUNTABILITIES – WHISTLEBLOWERS

1. Bring to early attention of the Organisation any improper practice they become aware of they must have sufficient material to support their disclosure and in the absence of such material, they must have sufficient cause for concern. Delay in reporting may lead to loss of evidence and also financial loss for the Organisation.



2. Avoid anonymity when raising a concern.
3. Follow the procedures prescribed in this policy for making a Disclosure.
4. Co-operate with investigating authorities, maintaining full confidentiality.
5. The intent of the policy is to bring genuine and serious issues to the fore and it is not intended for petty Disclosures. Employees are expected to avoid invoking their rights under this Policy to settle personal scores or to give vent to their malicious intentions. Malicious allegations by employees may attract disciplinary action.
6. A Whistleblower has the right to protection from retaliation. But this does not extend to immunity for involvement in the matters that are the subject of the allegations and investigation.
7. Maintain confidentiality of the subject matter of the Disclosure and the identity of the persons involved in the alleged Malpractice. It may forewarn the Subject and important evidence is likely to be destroyed.
8. In exceptional cases, where the Whistleblower is not satisfied with the outcome of the investigation carried out by the Whistle Committee, he/she can make a direct appeal to the Managing Trustee of the Organisation.
9. If the protected disclosure is against one of the committee members/he can write to anyone else on the committee and in that situation, the committee should maintain confidentiality and exclude that member/s from any proceedings with regards to the protected disclosure.

IX. RESPONSIBILITIES – WHISTLE COMMITTEE

1. Conduct the enquiry in a fair, unbiased manner after assuring itself that the Disclosure is not made in bad faith. Disclosures received by a committee member will be shared with the committee (as applicable) within 5 working days and the investigation should be initiated within 15 working days from the receipt of the disclosure.
2. Ensure complete fact-finding.
3. Maintain strict confidentiality, especially of the whistle blower's identity (if available).
4. Decide on the outcome of the investigation by following principles of natural justice, whether an improper practice has been committed, and if so by whom..
5. Recommend an appropriate course of action - suggested disciplinary action, including dismissal, and preventive measures.
6. Record Committee deliberations, document the final report and communicate its decision to the concerned parties in writing. The Committee will entrust the implementation of its decision to relevant officers and will have a strict monitoring protocol.



7. In case of a lack of consensus in the decision of the Committee, the final report shall consider the majority decision, while also acknowledging and including suggestions made by the minority, wherever applicable.

8. If the Committee finds the disclosure to have National/International ramifications, it may intimate/seek-assistance-from external agencies, whether Government or non-Government and keep the Management Committee of the Organisation fully informed.

9. The Committee will submit its findings and recommendations to the Management Committee which will implement the recommendations.

X. RIGHTS OF A SUBJECT

1. Subjects have the right to be heard and the Whistle Officer or the Committee must give adequate time and opportunity for the subject to communicate his/her say on the matter

2. Subjects have the right to be informed of the outcome of the investigation and shall be so informed in writing by the Organisation after the completion of the inquiry/ investigation process.

3. Subjects have no right to ask for or be given information about the identity of the whistleblower, even if it is available.

XI. MANAGEMENT ACTION ON FALSE DISCLOSURES

An employee who knowingly makes false allegations of unethical & improper practices or alleged wrongful conduct shall be subject to disciplinary action, up to and including termination of employment, in accordance with Organisation rules, policies and procedures. Further, this policy may not be used as a defence by an employee against whom an adverse personnel action has been taken independent of any disclosure made by him and for legitimate reasons or cause under Organisation rules and policies.

XII. PROCEDURE FOR REPORTING & DEALING WITH DISCLOSURES

For more details, refer to the procedure for reporting & dealing with disclosures given in Annexure- A. For more details, refer to the representation of the process flow given in Annexure-B

XIII. ACCESS TO REPORTS AND DOCUMENTS

All reports and records associated with 'Disclosures' are considered confidential information and access will be restricted to the Whistle Blower, the Subject, the Whistle Committee, Management Committee and Managing Trustee, wherever applicable. 'Disclosures' and any resulting investigations, reports or resulting actions will generally not be disclosed to the public except as required by any legal requirements or regulations or by any organisational policy in place at that time.

XIV. RETENTION OF DOCUMENTS



All Protected Disclosures in writing or documented along with the results of investigation relating thereto shall be retained by the Chair of the committee for a minimum period of 07 years.

XV. REPORTS

A quarterly status report on the total number of complaints received during the period, with a summary of the findings of the Whistle Committee and the corrective actions taken will be sent to the Managing Trustee of the Organisation.

XVI. ORGANISATION'S POWERS

The Organisation is entitled to amend, suspend or rescind this policy at any time. Whilst the Organisation has made best efforts to define detailed procedures for implementation of this policy, there may be occasions when certain matters are not addressed or there may be ambiguity in the procedures. Such difficulties or ambiguities will be resolved in line with the broad intent of the policy. The Organisation may also establish further rules and procedures, from time to time, to give effect to the intent of this policy and further the objective of good governance.

PROCEDURE FOR REPORTING & DEALING WITH DISCLOSURES

How should a Disclosure be made and to whom?

1. Disclosure can be made via email or verbally. If it is a verbal disclosure, it should be followed by an email. A disclosure can be made to one/more committee members or using the committee email id.
2. In case of hand-written disclosure: Disclosures can be addressed to the Whistle Blower Committee/member(s) of committee duly sent to the administrative office of the organisation.

PROCESS FLOW

I. Is there any specific format for submitting the Disclosure?

While there is no specific format for submitting a Disclosure, the following details MUST be mentioned:

1. Name, address and contact details of the Whistleblower.
2. Brief description of the Malpractice, giving the names of those alleged to have committed or about to commit a Malpractice - if names are not known, the Disclosure will still be valid.
3. Specific details such as time and place of occurrence are also important.
4. In case of letters, the disclosure should be sealed in an envelope or an email marked "Whistle Blower" and addressed to the Whistle committee or Managing Trustee, depending on the position of the person against whom disclosure is made.



II. What will happen after the Disclosure is submitted?

1. The Whistle committee shall acknowledge receipt of the Disclosure as soon as practical (preferably within 10 working days of receipt of a Disclosure), where the Whistle blower has provided his/her contact details.
2. The Whistle committee will examine the allegations to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the Disclosure constitute a Malpractice. If the allegations do not constitute a Malpractice, the Whistle committee will record this finding with reasons and communicate the same to the Whistle blower.
3. During the course of enquiry the subject might face change of work assignment/ transfer with or without monetary impact.
4. If the allegations constitute a Malpractice, the Whistle committee will proceed to investigate the Disclosure as he/she deems necessary or as per the process defined under the relevant Policy. If the alleged Malpractice is required by law to be dealt with under any other mechanism, the Whistle committee shall refer the Disclosure to the appropriate authority under such mandated mechanism and seek a report on the findings from such authority.

Employees who violate this Policy or are found guilty based on the investigation carried out by the Whistle Committee are subject to disciplinary/corrective action which may include (but, not limited to) one or more of the following:

- i. Formal apology
 - ii. Counselling
 - iii. Written warning and a copy of it maintained in the employee's HR file
 - iv. Change of work assignment/ transfer with or without monetary impact
 - v. Monetary implications
 - v. Suspension or termination of services of the employee found guilty of the offence
 - vi. In case the violation by the individual amounts to a specific offence under the law, the Organisation shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
5. Subjects will normally be informed of the allegations at the outset of a formal investigation and have opportunities for providing their inputs during the investigation.
 6. The investigation may involve study of documents and interviews with various individuals. Any person required to provide documents, access to systems and other information by the Whistle Officer or Whistle committee for the purpose of such investigation shall do so. Individuals with whom the Whistle Officer or Whistle committee requests an interview for the purposes of such investigation shall make themselves



available for such interview at reasonable times and shall provide the necessary cooperation for such purpose.

7. If the Malpractice constitutes a criminal offence, the Whistle Officer will bring it to the notice of the Managing Trustee and take appropriate action including reporting the matter to the police or any other law enforcement agencies.

8. The Managing Trustee of the Organisation may, at his/her discretion, participate in the investigations of any Disclosure.

9. The Whistle Committee/ appropriate Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Whistle Officer as soon as practically possible and in any case, not later than 90 days from the date of receipt of the Disclosure. The Whistle Officer may allow additional time for submission of the report based on the circumstances of the case.

10. Whilst it may be difficult for the Whistle Committee to keep the Whistle Blower regularly updated on the progress of the investigations, he/she will keep the Whistle Blower informed of the result of the investigations and its recommendations subject to any obligations of confidentiality.

11. The Management Committee of the Organisation will jointly take decision on the action to be taken on the recommendations of the Whistle Committee and keep the Whistleblower and the Subject informed of the same. Though no timeframe is being specified for such action, the Organisation will endeavour to act as quickly as possible in cases of proved Malpractice.

III. What should one do if one faces any retaliatory action or threats of retaliatory action as a result of making a Disclosure?

If one faces any retaliatory action or threats of retaliatory action as a result of making a Disclosure, the Whistle committee needs to be intimated in writing immediately. The Committee will take cognizance of each and every such complaint/feedback received and investigate the same accordingly and may also recommend appropriate steps to ensure protection from exposure to such retaliatory action and ensure implementation of such steps.

IV. What happens if the Whistleblower Committee is unable to take a decision on the Disclosure? The decision of the Managing Trustee of the Organisation is final and binding on one and all.

Whistle Blower Committee:



1. Ms. Nitya Satheesh (Chair)
2. Ms. Dincy Mariyam
3. Mr. Sahil Pimpale
4. Mr. Karthik Guduthur
5. Mr. Alok Prasanna (External member)

Committee email Address: wb@cwsindia.org