

No.006/MSc/038
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 25th June 2007

Office Order No. 22/06/07

Subject: Constitution of the Advisory Board on Bank, Commercial and Financial Frauds – regarding.

The Central Vigilance Commission had, after taking into account the complexities involved in decision making process in public sector banks, constituted a Central Advisory Board on Bank Frauds, on 26.2.99, which was later renamed as Advisory Board on Bank, Commercial and Financial Frauds, after its functional jurisdiction was enhanced to cover financial/commercial frauds in central public sector undertakings and financial institutions. The Board was constituted to primarily advise the CBI as to whether in a particular case, PE/RC should or should not be registered in respect of frauds in borrowal accounts, where there was a difference of opinion between the organisation concerned and the CBI.

2. On the completion of the term of the existing Members of the Board, on 30.6.2007, the Commission reconstitutes the Board as follows: -

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|---|----------|
| Justice B.P.Singh, Judge, Supreme Court of India | Chairman |
| Shri Mukund M. Chitale Chartered Accountant | Member |
| Shri S.S. Puri, IPS(Retd) | Member |
| Shri K.N. Prithviraj, Ex. CMD, Oriental Bank of Commerce | Member |
| Shri A.K.Jain, IAS(Retd) | Member |
| Shri A.V.Sardesai, ED (Retd), Reserve Bank of India | Member |

3. The tenure of the Members would be for a period of two years from 1.7.2007. The other terms and conditions of appointment would be as indicated in Annexure. (In case any of the Members designate is holding an office of profit/ a regular appointment carrying monthly emoluments with Govt. of India, Govt. of any of the States/Union Territories of India or any other company, society and local authority owned or controlled by Govt. of India/any of the States/Union Territories of India, as on 1.7.2007, his appointment as a Member of the Board would be

considered from the date succeeding the day on which he demits the office/post which he is holding, other than the Member of the Board).

4. The location of the Board would continue to be at Mumbai, but the Board may, at its convenience meet anywhere in India. As in the past, the Board would form part of the organizational infrastructure of the CBI with the RBI providing the required investigative and secretarial services, alongwith the necessary funds.

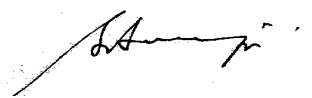
5. The Board's jurisdiction would be confined to those cases where, in disagreement or dispute with the Bank, PSU or financial institution, the CBI desires to register an RC/PE in respect of an allegation of a fraud:

- a) in a borrowal account in a public sector bank; or
- b) financial or commercial frauds in a financial institution or Public Sector Undertaking.

6. Apart from the above, the Board may also advise on any other technical matter referred to it by the CBI or CVC.

7. Considering the limited number of such disputes arising annually, the Commission does not, at the moment, find it appropriate to specify the levels above which the reference could be made to the Board. Thus, CBI may refer any case to the Board where it has a difference of opinion with the organisation concerned, along the lines indicated above, irrespective of the level of the officers/officials involved in the case. It is also clarified that the advice tendered by the Board would not be binding on the CBI.

8. The nomenclature, functions, tenure, facilities, infrastructure and mechanism for consultation and secretarial assistance will be the same as indicated in the Commission's O.M. No. 99/VGL/54 dated 8.8.2000.


(SUJIT BANERJEE)
SECRETARY

Encl: as above.

To

1. The Chairman & Members of the Advisory Board on Bank, Commercial and Financial Frauds.
2. The Director, CBI.
3. The Governor/Dy. Governor, RBI.
4. The Secretary, Financial Services, Department of Economic Affairs, Govt. of India.
5. All Chief Executives/CVOs of Public Sector Banks/Public Sector Enterprises/ Financial Institutions.
6. Chairman, SCOPE.

Annexure

Terms of appointment of the Members of Central Advisory Board on Banks, Commercial and Financial Frauds.

1. Period

The term will be for a period of two years from 1st July, 2007. (In case any of the Members designate is holding an office of profit/ a regular appointment carrying monthly emoluments with Govt. of India, Govt. of any of the States/Union Territories of India or any other company, society and local authority owned or controlled by Govt. of India/any of the States/Union Territories of India, as on 1.7.2007, his appointment as a Member of the Board would be considered from the date succeeding the day on which he demits the office/post which he is holding, other than the Member of the Board).

2. Honorarium

The Members will be entitled to an honorarium of Rs. 22,500/- (Rupees Twenty Two Thousand & Five Hundred only) per month.

3. Use of Bank's Car

For journeys to and from the residence to the office of the Advisory Board and for other official journeys or reimbursement of conveyance charges at a flat rate of Rs. 1200/- per month in lieu of the above.

4. Travelling and Halting allowances

As per Reserve Bank rules applicable to the Senior Executives of the Bank.

5. Sitting Fees

Rs. 1000/- (Rupees One Thousand) only for every meeting of the Advisory Board.