

COMPLAINT HANDLING POLICY

1. The Central Vigilance Commission (hereinafter referred to as the Commission) is constituted under the provisions of the Central Vigilance Commission Act of 2003 to exercise superintendence over vigilance matters and implementation of anti-corruption measures in the Central Government Departments and in their attached/subordinate offices, Government Company, Society and any local authority owned or controlled by the Central Government. The Commission has also been assigned superintendence over the functioning of the Central Bureau of Investigation in so far as it relates to offences alleged to have been committed under the Prevention of Corruption Act, 1988. It shall act as the designated agency for receipt of written complaints in allegation of corruption or misuse of office and recommend appropriate action under GOI Resolution "Public Interest Disclosure and Protection of Informer".

2. The prime objective of the Commission is to advise the different departments and the organisations/institutions mentioned in the foregoing para on vigilance related issues in respect of specific levels of officers falling within the jurisdiction of the Commission with regard to type of punishments etc. depending on the misconduct.

3. Complaint from public, various administrative authorities, NGOs etc. are generally one of the important sources of information for identification of vigilance related issues in the above mentioned organisations.

Complaints to the Commission are thus meant to result in punitive action against the erring public servant(s). Relief as such in the matter to the complaint is only incidental to the vigilance action. Redressal of grievances vis-à-vis Government organisations or public sector enterprises should not be the focus of complaints to the Commission.

“As regards complaints against tenders, it may be clarified that while the Commission would get the matter investigated through the concerned CVO, it would not interfere in the tender processes. The intention is not to stop the work in the organisation and, therefore, the processing of tender would continue. However, based on the report of the CVO, the Commission would take appropriate action in the matter.”

4. The Commission has adopted BIS standard for its complaint handling policy. The objective of the complaint handling policy of the Commission as specified in the BIS Manual is to ensure timely and satisfactory redressal of every complaint. As per these standards, the complaint handling process in the Commission has to be audited once a year by an Auditor to be nominated by CVC. The standards also provide that the observations made by the Auditor are to be taken into consideration by the Management Review Committee for necessary corrective action.

5. Complaint can be lodged only against officials belonging to the organisations over which CVC has jurisdiction, namely:-

- Central Govt. Ministries/Departments
- Central Govt. Public Sector Undertakings
- Nationalised Banks, Insurance Companies
- Autonomous organisations like Port Trusts etc.
- Centrally administered territories including Delhi, Chandigarh, Daman and Diu, Pondicherry etc.

The Commission has no jurisdiction over private individuals and State Governments. Therefore, please do not lodge complaints against officials of these organisations to the Commission.

6. As per CVC Act, 2003, the Commission can inquire or cause an inquiry against only certain categories of public servants posted in the organisations specified above. At present, the Commission's jurisdiction over the employees of Ministries/Departments /PSUs/PSBs/Insurance Sector is as under:-

(1)	Central Govt. Ministries/Deptts.	Group 'A' officers and above
(2)	Public Sector Undertakings	Two level below the Board level and above
(3)	Public Sector Banks	Officers of Scale V and above
(4)	Insurance Sector	Assistant Manager and equivalent
(5)	Autonomous Bodies	Officers drawing Basic pay of Rs. 8700/- and above
(6)	Port Trusts/Dock Labour Board	Officers who are in pay of Rs.10,750/- and above (Rs.3,750/- and above pre-revised)

7. The complainant should note-

- The Commission does not entertain anonymous/pseudonymous complaints.
- Whenever the complainant for valid reasons requests that his identity be withheld while processing the complaint, this will be ensured by the Commission.
- Complaints must be brief and contain factual details, verifiable facts and related matters. They should not be vague or contain sweeping general allegations.
- Complaint should be addressed directly to the Commission. Complaints marked to a large number of functionaries are not normally pursued by the Commission.
- Only those complaints which are against officials and organisations within the jurisdiction of the Commission and have allegations of corruption will be got investigated by the Commission through CBI or CVO of the organisation concerned.
- Other complaints will either be filed or will be referred to the concerned CVO for necessary action.
- Commission will acknowledge only those letters which are being got investigated by it. A complaint number will be provided to the complainant and he can view the status of his complaint on the Commission's website.
- Commission will not entertain any further correspondence in the matter, but will ensure that the complaints are investigated and action taken to its logical conclusion.
- Department-wise list of the complaints which are being investigated by/under the direction of the Commission will be displayed in its monthly bulletin.
- Commission also accepts complaints under "Public Interest Disclosure and Protection of Informer Regulation" separately.

LODGE COMPLAINT

FAQ ON COMPLAINT HANDLING

Q.1 How can we lodge complaint to CVC?

Ans. Complaints can be lodged to CVC by addressing the letter directly to the CVC and giving the specific facts of the matter relating to corruption. The complaints can also be lodged directly on CVC's web-site. However, before lodging the complaint please ensure that the organisation and officials are under CVC's jurisdiction. Complaints can also be sent under "Public Interest Disclosure and Protection of Informer" Resolution.

Q.2 Does CVC receive complaint against anybody?

A. No. Commission accepts complaints only against specified categories of officers who are posted in organisations which are under Commission's jurisdiction.

Q.3 What is the jurisdiction of CVC?

A. Complaint can be lodged only against officials belonging to the organisations over which CVC has jurisdiction, namely:-

- Central Govt. Ministries/Departments
- Central Govt. Public Sector Undertakings
- Nationalised Banks, Insurance Companies
- Autonomous organisations like Port Trusts etc.
- Centrally administered territories including Delhi, Chandigarh, Daman and Diu, Pondicherry etc.

The Commission has no jurisdiction over private individuals and State Governments. Therefore, please do not lodge complaints against officials of these organisations to the Commission.

Q.4 Does Commission have jurisdiction over State Govt. employees?

A. No.

Q.5 What are the levels of public servants against whom CVC can inquire?

A. As per CVC Act, 2003, the Commission can inquire or cause an inquiry against only certain categories of public servants posted in the organisations specified above. At present, the Commission's jurisdiction over the employees of Ministries/Departments/PSUs/PSBs/Insurance Sector is as under:-

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| (1) Central Govt. Ministries/Deptts. | Group 'A' officers and above |
| (2) Public Sector Undertakings | Two level below the Board level and above |
| (3) Public Sector Banks | Officers of Scale V and above |
| (4) Insurance Sector | Assistant Manager and equivalent |
| (5) Autonomous Bodies | Officers drawing Basic pay of Rs. 8700/- and above |

(6) Port Trusts/Dock Labour Board Officers who are in pay of Rs.10,750/- and above (Rs.3,750/- and above pre-revised)

Q.6 Does CVC entertain anonymous/pseudonymous complaints?

A. No.

Q.7 Does CVC protect the identity of the complainants?

A. The identity of all complainants who desire so or those who make complaints under “Public Interest Disclosure and Protection of Informer” Resolution is kept secret by the Commission. However, it is observed that the complainants tend to send copies of their complaints to various organisations like PMO, President Secretariat, Cabinet Secretariat, Ministries, PSUs etc. In such cases, it is not possible for the Commission to accept any responsibility for keeping the identity secret.

Q.8 How can the complaint be lodged under the “Public Interest Disclosure and Protection of Informer” Resolution?

A. 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 so that they can be easily blocked out.

Q.9 If a person is victimised on account of his making the complaint, does he have any recourse?

A. If any person is aggrieved by any action on the ground that he is being victimised due to the fact he had filed a complaint or disclosure, he may file an application before the Commission seeking redressal in the matter, wherein the Commission may give suitable directions to the concerned person or the authority after inquiry into the matter.

Q.10 If a person makes motivated or vexatious complaint does the person complained against have some recourse?

A. In case the Commission finds the complaint to be motivated or vexatious, it shall be at liberty to take appropriate steps.

Q.11 Is there any inquiry which CVC does not entertain?

A. The Commission 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.

Q.12 Does Commission acknowledge the complaints?

A. While Commission would like to acknowledge each and every complaint but due to sheer volume of the job and to save precious resources the Commission acknowledge only those complaints which it finds could be referred for necessary action to organisation concerned or which are taken up by the Commission for inquiry and report. No acknowledgement is sent for complaints which are filed.

Q.13 Can the complainants get to know the status of their complaints?

A. For complaints sent for investigation & report, the Commission conveys a key number to the complainant by which he/she can see the status of his complaint on the web-site. However, while seeing the status on the web-site, the complainant should keep the following time frame in mind:-

“Generally reports on the complaints sent by the Commission for investigation, are expected by the Commission within a period of three months. Subsequent disciplinary action by the concerned Disciplinary authority takes around six months. Imposition of penalty takes a further period of three to six months. Commission will not entertain further correspondence in the matter, but will ensure that the complaints are investigated and action taken to its logical conclusion.”

Complaints which are sent for necessary action can be followed-up by the complainant with the respective organisations. CVC does not deal with such complaints further.

Q.14 Can complaints to CVC give relief to the complainant?

A. Complaints to the Commission are meant to result in punitive action against the erring public servant(s). Relief as such in the matter to the complainant is only incidental to the vigilance action. Redressal of grievances vis-à-vis Government organisations or public sector enterprises should not be the focus of complaints to the Commission.

Q.15 Can tenders be stopped on making complaint to CVC?

A. As regards complaints against tenders, it may be clarified that while the Commission would get the matter investigated through the concerned CVO, it would not interfere in the tender processes. The intention is not to stop the work in the organisation and, therefore, the processing of tender would continue. However, based on the report of the CVO, the Commission would take appropriate action in the matter, if there had been any serious lapse on the part of the public servants.

Q.16 What information does the Commission provide on its website regarding complaint?

A. Vide its monthly press note, Commission gives the number of complaints received by it and number of complaints on which action has been taken. It also gives department-wise list of complaints which are being investigated by/under the direction of the Commission.

Q.17 Does Commission handle grievances?

A. The Central Vigilance Commission does not entertain complaints which are of the nature of grievances-

- Grievances relating to Banking and Insurance should be sent to the respective Ombudsman. However, grievances particularly relating to the Life Insurance Corporation of India may be referred to their grievance cell at the following link:

Website: <http://licindia.com/grievances.htm>

- Grievances relating to Government of National Capital Territory of Delhi should be referred to their grievance cell at following link:

Website: <http://delhigovt.nic.in>

- Complaints regarding sexual harassment should be referred to the National Commission for Women at the following address:

National Commission for Women
4, Deen Dayal Upadhyaya Marg,
New Delhi- 110 002
Tel.: 91-11-23237166
91-11-23236988
Fax: 91-11-23236154
Complaints Cell: 91-11-23219750
Email: ncw@nic.in
Website: <http://ncw.nic.in>

- Complaints on frauds by private individuals or other frauds may be referred to Serious Fraud Office for speedy action at the following address:

Serious Fraud Investigation Office
Paryavaran Bhavan, 2nd Floor,
CGO Complex, Lodhi Road,
New Delhi- 110 003
Tel.: 91-11-24369244, 24369245, 24369246
Email: sfio@nic.in
Website: <http://sfio.nic.in>

- Complaints regarding black money/tax evasion may be sent to the DG Revenue Intelligence at the following address:

Directorate of Revenue Intelligence
I.P. Bhawan, D-Block,
7th Floor, I.P. Estate,
New Delhi- 110 002
Website: <http://dri.nic.in>

- Complaints relating to illegalities in foreign exchange may be sent to the Enforcement Directorate at the following address:

Director,
Enforcement Directorate,
6th Floor, Lok Nayak Bhawan,
Khan Market,
New Delhi- 110 003
Website: <http://finmin.nic.in>

Q.18 Can a complainant access some other important related websites through the CVC's website?

A. Yes, CVC's website gives the link to the following websites:

- (i) CBI
- (ii) GOI Directory
- (iii) Lok Sabha
- (iv) Rajya Sabha
- (v) Transparency International of India
- (vi) DOPT's CVO List