

COMPLAINT HANDLING POLICY

The Central Vigilance Commission is mandated under the CVC Act, 2003, to enquire or cause an enquiry into complaints against public servants wherein allegations of corruption are involved. The Commission can cause an enquiry through the Chief Vigilance Officer of the organisation concerned or CBI or any other anti-corruption investigating agency under the Government of India.

Jurisdiction of the Commission

1. Complaint can be lodged only against officials belonging to the following categories of organisations falling under the jurisdiction of CVC:
 - Central Govt. Ministries/Departments
 - Central Govt. Public Sector Undertakings
 - Nationalised Banks, Insurance Companies
 - Autonomous organisations created through an Act of the Parliament or under the administrative control of Government of India, like All India Institute of Medical Sciences, Port Trusts and Delhi Development Authority etc.
 - Centrally administered territories including Delhi, Chandigarh, Daman and Diu, Puducherry etc.
 - Societies and local authorities owned or controlled by the Govt. of India.
2. The Commission has no jurisdiction over private individuals and organisations of the State Governments.
3. The Commission has direct jurisdiction only over the following category of employees:-
 - Members of All India Services - serving in connection with the affairs of the Union.
 - Central Govt. Ministries/Deptts. - Group 'A' officers.
 - Central Public Sector Undertakings -
 - Schedule 'A' and 'B' - Chief Executives and Executives on the Board and other officers of E-8 and above.
 - Schedule 'C' and 'D' - Chief Executives and Executives on the Board and other officers of E-7 and above.
 - Public Sector Banks - Scale V and above.
 - RBI/NABARD and SIDBI - Grade D and above.
 - General Insurance Companies - Manager and above.
 - Life Insurance Corporation - Senior Divisional Manager and above.
 - Societies and other Local Authorities etc. - Officers drawing salary of Rs. 8700/- and above on Central Govt. DA pattern (as may be revised from time to time).
 - Port Trusts/Dock Labour Board etc. - Officers who are in pay of Rs. 10,750/- and above (Rs. 3,750/- and above pre-revised)

Commission will render its advice only with respect of cases involving the above category of officers. With respect to others the complaint will be referred to the CVO of the concerned organisation for necessary action.

Lodging of Complaints

Complaints can be lodged by addressing the letter/e-mail directly to the CVC, giving the specific facts of the matter relating to corruption. The complaints can also be lodged directly on CVC's web-site.

Action taken on complaints in the Commission

1. Only those complaints which are against officials and organizations within the jurisdiction of the Commission and contain allegations of corruption will be got investigated by the Commission through CBI or CVO of the organisation concerned. The Commission may also get a complaint inquired through its own officer under clause (d) of sub section (1) of Section (8) of CVC Act, 2003.
2. The CVO has to submit his report on the complaints sent by the Commission for investigation, within three months. Based on the investigation report the Commission renders advice after an independent application of mind. Subsequent disciplinary action by the concerned Disciplinary authority takes around six months. Imposition of penalty takes a further period of three to six months.
3. Once the Commission directs the CBI/CVO to investigate and report on a complaint, a complaint number would be provided to the complainant. The complainant can use this complaint number to see the status of action on the complaint by clicking on the 'Complaint Status' displayed on the Commission's website—www.cvc.nic.in.
4. Once a complaint is registered in the Commission, further correspondence in the matter will not be entertained. However, Commission will ensure that the complaints are investigated and action taken to its logical conclusion.
5. As regards complaints against tenders, it is clarified that while the Commission would get the matter investigated, however, it would not interfere in the tendering process as such. The intention is not to stop the work in the organisation.
6. As the Commission deals only with matters of corruption, redressal of grievances should not be the focus of complaints to the Commission.

7. Complaints must contain factual details, verifiable facts and related matters. They should not be vague or contain sweeping general allegations.
8. Complaint should be addressed directly to the Commission. Complaints should not be marked as a copy to the Commission.
9. The Commission does not entertain anonymous/pseudonymous complaints. However, organisation receiving such complaints could seek Commission's prior permission to investigate such complaints.
10. Complaints which do not meet the above criteria will either be filed or will be referred to the concerned CVO for necessary action. Complainant should find out the status of those complaints which have been referred by the Commission to the CVO concerned for necessary action from the CVO of the concerned Organisation/Ministry. The Commission expects the CVOs to scrutinize the complaints sent for necessary action by the Commission and decide action on such complaints within a period of one month from the date of receipt of complaint from the Commission. However, if any such complaints are taken up for inquiry/investigation by the CVO/Organisation, the time limit of three months for completion of investigation and submission of report would apply.

Whistle Blower Complaints (Public Interest Disclosure and Protection of Informer's Resolution)

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 victimisation.

Procedure of lodging complaint under PIDPIR

1. 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.

2. 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.

3. The complainant can use the complaint number provided by the Commission to see the status of action on complaints which have been forwarded to the authorities concerned for investigation and report by clicking on the 'Complaint Status' displayed on the Commission's website - www.cvc.nic.in.

FAQ www.cvc.nic.in/faq.pdf

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