

# Module 3

## Vigilance Mechanism

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## Chapter 1

### Complaint Handling Mechanism of the Commission

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Combating corruption is not just a matter of making laws and creating institutions, but is deeply rooted in human values and morals of individuals and the fight against corruption cannot be won without citizens' support, participation and active vigilance by all concerned. Public participation is therefore essential in promoting good governance, integrity and controlling corruption. The complainants can play an extremely important role in scrutinizing actions of government agencies & public servants and detection/reporting of unethical, inappropriate conduct by them.

Central Vigilance Commission has issued guidelines from time to time regarding the process of lodging complaints with it. These guidelines are aimed to create awareness among the public so that they are able to become active participants in the process of eliminating corrupt and irregular activities from public life. The guidelines may be accessed on the Commission's website [www.cvc.gov.in](http://www.cvc.gov.in)

The following important aspects must be kept in mind by the complainants in order to ensure that Commission take action on the complaints lodged with it:-

- a) The complaint should be pertaining to Ministries/ Departments/Organisations falling within the jurisdiction of the Commission.
- b) Complaints sent through written communication/letter should contain name and personal details, complete postal address (mobile/telephone number, if any) of the sender with specific details/information of the matter. Complaint should be signed by the Complainant.
- c) Complaints lodged with the Commission should be genuine and not malicious, vexatious or frivolous and should be based on verifiable facts.
- d) The complaint should not be anonymous or pseudonymous.

Complaints can be lodged online on Commission's portal [www.portal.cvc.gov.in](http://www.portal.cvc.gov.in) a link to which is available on Commission's website. Complaints can also be lodged with the Commission by addressing a written communication/letter directly to The Secretary, Central Vigilance Commission, Satarkta Bhawan, GPO Complex, Block-A, INA, New Delhi-110023. The complains received physically are also uploaded on the portal and processed online.

A new Complaint Management System (CMS) Portal has been launched by Commission on 3<sup>rd</sup> November, 2022. The CMS portal provides the complainants an OTP based authentication for lodging the complaint on-line and also to access the status of the complaint at different stages.

The Commission, on receipt of a complaint against officials covered under its jurisdiction may inquire or cause an inquiry or investigation to be made into the same, if the allegations contain verifiable facts and vigilance angle.

The salient features of Commission's Complaint Handling Policy are given below: -

- a) Commission deals with complaints in the matters of corruption and irregular acts having vigilance angle.
- b) Anonymous or Pseudonymous complaints are not entertained.
- c) Complaints can be lodged either through written communication or through Commission's portal / website.
- d) No fee shall be chargeable for lodging complaints with the Commission.
- e) The complaints received through e-mail are not entertained in the Commission.

On receipt of complaints in the Commission and after initial scrutiny of the contents, the Commission may take any of the following action: -

- ❖ It may get the investigation done through the CVO of the organization concerned or any other CVO or an officer of the Commission and call for investigation report (I&R); or
- ❖ send the complaint to the respective CVO for necessary action (NA); or
- ❖ file or close the complaint, without further action.

In case a view is taken to call for investigation and report (I&R) on a complaint, the Commission seeks confirmation from the complainant for owning or disowning the complaint. This step is necessary because, as per policy, the Commission does not take cognizance of anonymous or pseudonymous complaints. The complainant is also required to provide a copy of identity proof. A communication in this regard is sent to the complainant, and he/she is required to respond within 15 days of the receipt of the communication from the Commission. However, in case of non-receipt of response within 15 days, a reminder is also sent to him/her, giving another opportunity. In case of no response after 15 days of reminder, the complaint would be filed treating it as a pseudonymous complaint.

The CVOs or the agencies concerned are required to furnish investigation reports on complaints forwarded to them for inquiry within three months from the date of receipt of references from the Commission or within such time as specified by the Commission. In case more time is required to finalise the investigation and send a report to the Commission in the prescribed format, the CVO should seek extension of time, giving specific reasons. Any such request by the CVO concerned should be sent to the Commission alongwith the approval of the Chief Executive of the organisation concerned.

In respect of those complaints which are forwarded to CVOs of respective organisations for Necessary Action (N.A.), the CVO is required to scrutinize the complaints thoroughly and decide action on such complaints

within a period of two months from the date of receipt of complaint from the Commission.

Before initiating action on complaints forwarded for Necessary Action, CVO should seek confirmation from the complainant for owning or disowning the complaint, as the case may be, together with copy of his identity proof, as the Commission does not seek confirmation from the complainant, on such complaints.

In respect of the complaints referred by the Commission to CVOs for necessary action, in case they have been investigated and a vigilance angle has come to notice against an officer falling under the jurisdiction of the Commission, the case must be referred back to the Commission for obtaining its First Stage Advice. In such complaints, the timeline of three months for completion of investigation and submission of report would apply. Otherwise, such complaints require no further reference to the Commission and are to be disposed of by the Organisations concerned themselves after taking required action.

Complaints which are of administrative nature are forwarded by the Commission to the respective CVO for Necessary Action indicating that the complaints is administrative in nature.

CVO should update the status of complaints sent for necessary action on the Commission's CMS portal at [www.portal.cvc.gov.in](http://www.portal.cvc.gov.in).

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