

F. No.104/76/2022-AVD.IA
Government of India
Ministry of Personnel & Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, Dated 28th September, 2022

OFFICE MEMORANDUM

Subject: Consolidated Guidelines regarding handling of complaints in Ministries/Departments.

- Ref: 1. DoPT OM No. 104/76/2011-AVD.I dated 18.10.2013**
2. DoPT OM No. 104/76/2011-AVD.I dated 18.06.2014
3. DoPT OM No. 104/100/2009-AVD-I dated 14.01.2010
4. DoPT OM No. 104/100/2009-AVD-I dated 08.03.2010
5. DoPT OM No. 104/100/2009-AVD-I dated 04.05.2011
6. DoPT OM No. 104/100/2009-AVD-I dated 09.11.2011
7. DoPT OM No. 104/100/2009-AVD-I dated 02.12.2015
8. DoPT OM No. 104/100/2009-AVD-IA dated 27.02.2020

D/o Personnel & Training (DoPT) has from time to time issued guidelines regarding handling of complaints in Ministries/Departments. An effort has been made to consolidate and update the said guidelines at one place for better understanding and guidance, which are as follows:

2. (i) No action is required to be taken on anonymous complaints, which do not carry both name and address of the complainant, irrespective of the nature of allegations and such complaints need to be simply filed.
- (ii) Complaints containing vague allegations could also be filed without verification of identity of the complainant.
- (iii) If a complaint contains verifiable allegations, the administrative Ministry/Department may take cognizance of such complaint with the approval of the competent authority to be designated by the Ministry/Department as per their distribution of work. In such cases, the complaint will be first sent to the complainant for owning/ disowning, as the case may be. If no response is received from the complainant within 15 days of sending the complaint, a reminder will be sent. After waiting for 15 days after sending the reminder, if still nothing is heard, the said complaint may be filed as pseudonymous by the Ministry/Department.

3. Instructions contained in para 2 above would also be applicable (with appropriate competent authority to be designated under para 2(iii) above) for dealing with complaints against Secretaries to the Government of India or Chief Executives / CMDs / Functional Director of PSEs/PSBs/FIs, which will continue to be referred to the Cabinet Secretariat for placing before the Group of Secretaries headed by the Cabinet Secretary/Secretary (Co-ordination) in the Cabinet Secretariat, as the case may be, as per procedure given in this OM.

4. Complaints against Secretaries to the Government of India, whether pseudonymous or otherwise, received by the Cabinet Secretariat or the DoP&T or the Prime Minister's office, will be first scrutinized by the Group headed by the Cabinet Secretary. The composition of the group shall be as follows:-

- (i) Cabinet Secretary
- (ii) Principal Secretary to the Prime Minister.
- (iii) Secretary (Coordination) in the Cabinet Secretariat
- (iv) Secretary, DoP&T, and
- (v) Secretary, CVC- Observer

a) This Group, after reviewing the complaints, would proceed as follows:-

- If there is no substance in the complaint or the complaint is frivolous in nature, the group would close the complaint and inform the relevant officer from where the complaint was received;

- In case the preliminary scrutiny of the complaint indicates that there is some substance in it or there are verifiable allegations, the Group could do one or more of the following:-

- (i) Seek the comments of the Secretary concerned;
- (ii) Call for the concerned file(s);
- (iii) Call for the relevant records, including annual property returns, other reports etc.

b) Having received appropriate inputs on the complaints, the group will then proceed in the following manner:-

- In case the records/comments indicate that there is no substance in the complaint, it will be closed.
- If after scrutiny, it is felt that there is some substance in the complaint, a view would have to be taken by the group regarding the nature of the investigation called for and an appropriate recommendation made in this regard.
- Thereafter, the recommendation would be submitted to the Disciplinary Authority, for action as deemed fit.

c) The Group constituted will also be looking into the complaints received by the Cabinet Secretary from CVC under the CVC Act or the Public Interest Disclosure Resolution. The CVC shall be kept informed at regular intervals about the status of the scrutiny/review undertaken by the group into complaints forwarded by the CVC.

5. The complaints against officers who do not hold the post of the Secretary, but whose pay-scales are equivalent to that of Secretaries to the Government of India (Secretary Equivalent Position) and who are functioning under an administrative Ministry/ Department (i.e. where there is an administrative superior to such officers) shall be looked into by the concerned Ministry / Department and the matter may be referred to the Cabinet Secretariat (Group of Secretaries headed by Cabinet Secretary) only if it merits further action. This procedure can be adopted in the case of those officers who have retired from Secretary-equivalent posts too.

6. The procedure to be followed for handling complaints against Secretaries to the Government of India as laid down in Para-4 above may also be followed in respect of complaints against retired secretaries.

Rupesh kumar
(Rupesh Kumar)

Under Secretary to Govt. of India

To,

1. All Ministries/Departments of Government of India
2. NIC with a request to upload the OM on the website of DoPT