

No. 104/76/2024-AVD-IA
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated the 9th October, 2024

OFFICE MEMORANDUM

Subject: Revised Guidelines regarding handling of complaints in Ministries/Departments/Organizations of Government of India.

The undersigned is directed to say that in partial modification of the guidelines issued vide DoP&T OM No. 104/76/2022-AVD-IA dated 28.09.2022, the Competent Authority has approved the following guidelines for handling of complaints received against officers/officials in Ministries/Departments/Organizations of Government of India.

2. Anonymous complaints, i.e. such complaints that do not carry both the name and address of the complainant, should be filed straightaway. No action is required to be taken on such complaints, irrespective of the nature of allegations, and they should be filed.
3. All complaints containing non-specific and unverifiable allegations as may be decided by the competent authority should also be filed without verification of identity of the complainant.
4. Complaints, other than anonymous complaints, containing specific allegation of corruption or attracting vigilance angle (as laid out in para 3(a)(I) of DoPT's OM No. 104/33/2024-AVD-IA dated 09.10.2024 shall be considered and processed by the Chief Vigilance Officer of the Ministry/Department/Organization concerned. All other complaints, containing matters of non-vigilance nature, would be considered by the Joint Secretary/Additional Secretary in-charge of Administration of the respective Ministry/ Department.
5. Complaints of both categories, i.e. vigilance and non-vigilance, including complaints received through e-mail, should be sent by the Ministry/Department/Organization concerned through Speed Post/Registered Post/authenticated electronic media to the complainant for owning/disowning the complaint and for confirming the veracity of the contents of the complaint.

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If no response is received from the complainant within 15 days of sending the complaint for confirmation, a reminder should be sent. If the response is still not received within 15 days of sending the reminder, the said complaint should be filed as pseudonymous by the Ministry / Department /Organization concerned.

6. The decision to file the complaint or examine it further should be taken by the concerned Ministry/Department/Organization within a period of three months from the date of receipt of the complaint. Such further examination may be in the shape of a preliminary inquiry or an inquiry as decided by the Competent Authority.

7. Once the Ministry/Department/Organization concerned decides to examine the complaint further, as a vigilance or non-vigilance matter, a copy of the complaint should be made available to the officer(s) against whom the complaint has been made through speed post, within 15 days of the decision.

8. In case of complaints received in the Ministries/Departments of Government of India on matters pertaining to AIS officers or Central Government employees working in connection with the affairs of the State Governments, these shall be forwarded to the State Government concerned for action as appropriate. The State Governments may, in the first instance, carry out the exercise as envisaged in para-5 and para-6 above. Once the State Government decides to examine the complaint further, the State Government concerned may share a copy of such complaint forwarded to the officer(s) against whom the complaint has been made, within 15 days of the decision. Complaints received prior to issue of these guidelines may be disposed of accordingly with the approval of the competent authority.

9. In order to ensure that complaints are dealt with expeditiously within 3 months of the date of receipt of the complaint, a Review Committee shall be constituted in every Ministry/Department. The Review Committee shall be chaired by an officer not below the rank of Additional Secretary and shall include the CVO of the Ministry/ Department and the Joint Secretary/Additional Secretary in-charge of Administration of the respective Ministry/Department inter alia as members. This Committee shall meet on a monthly basis to monitor the disposal of complaints that are pending for a decision beyond two months from their date of receipt.

State Governments may also undertake a similar exercise for complaints forwarded to them as per para-8 above.

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10. 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

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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.

d) The procedure to be followed for handling complaints against Secretaries to the Government of India as laid down in sub paras above shall also be adopted in respect of complaints against retired secretaries.

11. 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 shall be adopted in the case of those officers who have retired from Secretary-equivalent posts too.

12. Complaints against Chief Executives of Public Sector Enterprises and CMDs of Public Sector Banks and Financial Institutions will be considered by the Group of Officers constituted vide Department of Public Enterprises O.M. No. 15(1)/2010-DPE(GM) dated 11.3.2010/12.4.2010 as amended from time to time. The Group of Officers shall follow the procedures enunciated in these guidelines while considering the complaints referred to them.

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