

'Whistle- Blower' Complaints to CVC

1. The Government of India has authorized the Central Vigilance Commission (CVC or 'the Commission') as the 'Designated Agency' under the resolution on public Interest Disclosures & Protection of Informer (PIDPI) to receive written complaints for disclosure on an allegation of corruption or misuse of office and recommend appropriate action.

2. The CVC shall, as the Designated Agency, receive written complaints or disclosure on any allegation of corruption or of mis-use of office by any employee of the Central Government or of any corporation established under any Central Act, government companies, societies or local authorities owned or controlled by the Central Government. Personnel employed by the State Governments and activities of the State Governments or its Corporates etc, will not come under the purview of CVC.

3. The CVC while accepting such complaints has the responsibility of keeping identity of the complainant secret. Hence, it is informed to the general public that any complaint, which is to be made under this resolution, should comply with the following aspects;

i) The complaint should be in a closed/secured envelope.

ii) The envelope should be addressed to Secretary, Central Vigilance Commission and should be super-scribed "Complaint under The Public Interest Disclosure". If the envelope is not super-scribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the CVC. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter.

iii) Commission will not entertain anonymous/pseudonymous complaints.

iv) The text of the complaint should be carefully drafted so as not to give any details or clue as to his/her identity. However, the details of the complaint should be specific and verifiable.

v) In order to protect identify of the complainant, the CVC will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the CVC in their own interest. The Commission assured that, subject to facts of the case being verifiable; it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the Commission will get in touch with the complainant.

4. The identity of the complaint will not be revealed unless the complaint himself has made either the details of the complaint public or disclosed his identity to any other office or authority.

While calling for further report/investigation, CVC shall not disclose the identity of the informant and also shall request the concerned head of the organization to keep the identity of the informant a secret, if for any reason the head comes to know the identity.

In the event of the identity of the informant being disclosed in spite of Commission's directions to the contrary, it is authorized to initiate appropriate action as per extant regulations against the person or agency making such disclosure.

5. If any person is aggrieved by any action on the ground that he is being victimized due to the fact that he had filed a complaint or disclosure, he may file an application before CVC seeking redress in the matter, wherein Commission may give suitable directions to the concerned person or the authority.

6. If the Commission is of the opinion that either the complainant or the witnesses need protection, it shall issue appropriate directions to the concerned government authorities. The Commission shall be authorized to call upon the CBI or the police authorities, as considered necessary, to render all assistance to complete the investigation pursuant to the complaint received.

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

8. CVOs are required to take the following actions with respect to the complaint forwarded by the Commission under this resolution:

- Investigation into the complaint should be commenced immediately. The investigation report should be submitted to the Commission within two weeks.
- The CVO is to ensure that no punitive action is taken by any concerned Administrative authority against any person on perceived reasons/ suspicion of being "whistle blower."
- Subsequent to the receipt of Commission's directions to undertake any disciplinary action based on such complaints, the CVO has to follow up and confirm compliance of further action by the DA and keep the CVC informed of delay, if any.

9. 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.

A copy of detailed notification is available on the web-site of the CVC <http://www.cvc.nic.in>
