



NEW MANGALORE PORT AUTHORITY VIGILANCE DEPARTMENT

COMPREHENSIVE GUIDELINES FOR COMPLAINT HANDLING MECHANISM

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New Mangalore Port Authority (NMPA) is a fast growing port in the west coast of India. It is an ISO 9001:2008 & 14001:2004 certified port. NMPA believes in integrity and transparency in all spheres of activities covering recruitment, promotions, marketing, finances and public procurement processes and has zero tolerance towards any form of corruption. If anyone from New Mangalore Port Authority (NMPA) demands a bribe or if you have any information on corruption / corrupt practices in NMPA or if you are the victim of corruption in NMPA, you can address/register a complaint to the Chief Vigilance Officer (CVO) of NMPA or Central Vigilance Commission (CVC). The CVO, NMPA is mandated under the Vigilance manual of CVC to inquire or cause an inquiry into complaints against any official of NMPA wherein allegations of corruption are involved.

1) THE COMPLAINT HANDLING POLICY:

- 1.1 The complaint handling policy is designed to provide guidance on the manner in which NMPA receives and handles complaints against its employees, suppliers, contractors and group of persons involved in public procurement.
- 1.2 The objective of the policy is to assist the management and public in general in handling of the complaints in an efficient, effective and professional manner wherein every possible step is taken to ensure that instances of misconduct do not escape scrutiny and action, while at the same time the morale of the employees is not adversely affected by complaints of mischievous nature.
- 1.3 This policy has been designed in line with the guidelines/instructions issued by Government of India and Central Vigilance Commission (CVC) from time to time.

2) PHILOSOPHY OF COMPLAINT HANDLING:

- 2.1 The Complaint Handling Policy is available on the NMPA website.
- 2.2 The Complaint Handling Policy is readily accessible to all stake holders and public. The Policy is easy to understand and includes details on making and resolving complaints.
- 2.3 Complaints given in person are acknowledged immediately/complainants will be treated courteously.
- 2.4 Each complaint is addressed in an equitable, objective and unbiased manner in line with the Complaint Handling Policy.
- 2.5 There is no fee/cost to the complainant for making a complaint.
- 2.6 A person making false complaint is liable for prosecution and/or disciplinary action in case he/she is a public servant/employee of NMPA.
- 2.7 Information regarding personal identity etc. of complainants shall not be disclosed, if so desired by the complainant.
- 2.8 The Chief Vigilance Officer will ensure that the complaints are addressed in transparent and fair manner within the specified/reasonable time frame.
- 2.9 Based on the feedback received, the NMPA shall initiate necessary action for systemic improvements.

3) JURISDICTION OF VIGILANCE DEPARTMENT OF NMPA:

- 3.1 Complaints can be lodged only against officials of New Mangalore Port Authority (NMPA).
- 3.2 The Vigilance Department, NMPA has no jurisdiction over private individuals and organizations of State or Central Government.

4) LODGING OF COMPLAINTS:

4.1 Complaints can be lodged against any official of NMPA by addressing the written communication/ letter directly to the Chief Vigilance Officer (CVO) of NMPA at the following address:

Chief Vigilance Officer
New Mangalore Port Authority
Vigilance Department
A.O Building, Panambur, Mangalore
Karnataka -575010
(Email: cvo@nmpt.gov.in)

4.4 The Complaints can also be lodged on NMPA's website <https://newmangaloreport.gov.in/> under the link "Vigilance" on home page. Complaints can be lodged with the Commission online, on the Commission's portal i.e <https://portal.cvc.gov.in> or through the Commission's website <https://cvc.gov.in> under the link "Lodge Complaints", available on home page. For lodging complaint through the portal, it is mandatory for the complainant to provide Mobile Number, so that an auto generated OTP can be sent on the mobile number of the complainant for authentication purpose. As soon as the complaint is registered on the portal, an SMS confirming the registration of the complaint and also containing the complaint reference number would be sent to the complainant. The status of complaints lodged through the portal can be tracked through e-mode only.

4.5 Since NMPA has implemented the Integrity Pact for the contracts above the threshold value of Rs.1 Crore, the complaints regarding such contracts may be referred to the Independent External Monitors (IEMs).

4.6 Complainant may give any information related with corruption through written communication with complete postal address, (mobile/ telephone number, if any) of the sender with specific details/ information of the matter.

- 4.7. Complaints sent on any email ID of officers of the Vigilance Department will not be entertained or taken cognizance of by the Vigilance Department.
- 4.8 Complaints should be genuine and not malicious, vexatious or frivolous and should be based on verifiable facts. The complaint should not be biased or based on any personal grievances.
- 4.9 Complaints should be specific with adequate evidence and facts and should not be vague or contain sweeping general allegations.
- 4.10 Complaint should be addressed directly to the CVO, NMPA.
- 4.11 Complaint should not be marked as a copy to the CVO, NMPA.
- 4.12 The Complaints should not be anonymous or pseudonymous.
- 4.13 Normally one specific issue should be raised in one complaint. However, if more than one specific issue is there, it is better to raise the same in separate complaint.
- 4.14 A complaint should preferably be typed or written form in English/ Hindi or Kannada language. All complaints, even if printed or photocopied, should be clearly legible.
- 4.15 The complainant should lodge complaints only regarding issues having vigilance angle and which are not part of any litigation in any courts, tribunals, etc. i.e. the matter should not be sub-judice.
- 4.16 No fee shall be chargeable for lodging complaints in Vigilance Department, NMPA

5) DEFINITION OF COMPLAINT:

- 5.1 Receipt of information about corruption, malpractice or misconduct, from whatever source, would be termed as a complaint.
- 5.2 dictionary definition of complaint is that statement that one is aggrieved or dissatisfied; formal protest; illness.

5.3 In official parlance, complaints are communications reporting grievances of malpractices and are the starting point of punitive vigilance work.

6) SOURCE OF INFORMATION AND COMPLAINTS:

6.1 A complaint includes all types of information containing allegations of misconduct against Public Servants. The sources can be classified as mentioned below:

- i) Complaints received from employees of the organization.
- ii) Complaints received from vendors/suppliers, customers or from the public.
- iii) Departmental inspection reports and stock verification reports.
- iv) Scrutiny of Annual Property Returns (APRs).
- v) Scrutiny of transactions reported under the Conduct Regulations.
- vi) Reports of irregularities in accounts detected in the routine audit of accounts; e.g., tampering with records, over-payments, misappropriation of money or materials etc.
- vii) Audit reports on Government accounts and other corporate bodies etc.
- viii) Reports of Parliamentary Committees like the Estimates Committee, Public Accounts Committee etc.
- ix) Proceedings of two Houses of Parliament.
- x) Complaints and allegations appearing in the press etc.
- xi) Source information, if received verbally from an identifiable source, to be reduced in writing and
- xii) Intelligence gathered by agencies like CBI, local bodies etc.
- xiii) In addition, the Chief Vigilance Officer concerned may also devise and adopt such methods as considered appropriate and fruitful in the context of nature of work handled in the organization, for collecting intelligence about any malpractice and misconduct among the employees.

6.2 Complaints are an important source of information about the corruption, malpractice and misconduct on the part of public servants. Information about corruption, malpractice or misconduct may flow to CVO/CVC/CBI/Police Authorities from any of the sources as given in the above Para.

7) DEFINITION OF VIGILANCE ANGLE:

7.1 Vigilance angle is obvious on the following acts:

- i) Demanding and /or accepting gratification other than legal remuneration in respect of an official act or for using his/her influence with any other official.
- ii) Obtaining valuable thing, without consideration or with inadequate consideration from a person with whom he has or likely to have official dealings or his subordinates have official dealings or where he can exert influence
- iii) Obtaining for himself/herself or for any other person any valuable thing or pecuniary benefit by corrupt or illegal means or by abusing his position as a public servant.
- iv) Possession of assets disproportionate to his/her known sources of income.
- v) Cases of misappropriation, forgery or cheating or other similar offences,
- vi) Any undue/unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to presence of a vigilance angle.
- vii) Other irregularities, where circumstances will have to weighed carefully to take a view whether officer's integrity is in doubt, gross or willful negligence; recklessness in decision making; blatant violations of systems

and procedures, exercise of discretion in excess, where no ostensible/public interest is evident, failure to keep the controlling authority/superiors informed in time - these are some of the irregularities where the disciplinary authority with the help of the CVO should carefully study the case and weigh the circumstances to come to a conclusion whether there is reasonable ground to doubt the integrity of the officers concerned.

7.2 Commercial risk taking forms part of business. Therefore, every loss caused to the organization, either in the pecuniary or non-pecuniary terms, need not necessarily become the subject matter of a vigilance enquiry. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations and instructions, would have taken the decision in the prevailing circumstances in the commercial /operational interests of the organization is one possible criterion for determining the bona fides of the case. A positive response to this question may indicate the existence of bona fides. A negative reply, on the other hand, might indicate their absence.

8) TYPE OF COMPLAINTS:

8.1 Identified and signed complaints: These are complaints wherein the identity of the complainant is mentioned by virtue of name, contact details etc., Further, the complainant owns/confirms the details mentioned in the complaint, when the complainant is contacted at the address/contact no. mentioned in the complaint.

8.2 Pseudonymous complaints: These are the complaints wherein the identity of the complainant is mentioned by virtue of name, contact details. However, when the signatory of complaint is contacted at the

address/contact no. mentioned in the complaint, the complaint is either disowned or there is no response within a reasonable time.

8.3 Anonymous complaints: These complaints are the complaints where the complainant has not revealed verifiable or traceable or contactable identity while making the complaint.

8.4 Whistle Blower Complaints: [otherwise known as Public Interest Disclosure and Protection of Informers (PIDPI)].

CVC is the designated agency for receiving PIDPI complaints. Such complaints should be made to the CVC in the manner prescribed by the Commission. Complaints under PIDPI can be made only by post. These are the complaints wherein the identity of the complainant is kept confidential and the CVC forwards only the details of the complaint as "Source Complaint". The identity of the complainant is not revealed so as to ensure that the complainant is not victimized. The envelope should be super scribed "PIDPI" or "Whistle Blower".

9) Action taken on complaints in the Vigilance department NMPA:

9.1 Only those complaints which are against officials of NMPA and within the jurisdiction of Vigilance Department, NMPA and having vigilance angle will be investigated by the Vigilance Department.

9.2 If the complaints are against the Board level officers such as the Chairman, Dy. Chairman, the same will be forwarded to the Chief Vigilance Officer of Ministry of Ports, Shipping & Waterways for necessary action.

9.3 Once a complaint is registered in the Vigilance Department, NMPA, further correspondence in the matter will not be entertained. However, Vigilance Department, NMPA assures that the complaints are investigated and action taken to its logical conclusion.

- 9.4 As regard complaints against tenders/ contracts, it is clarified that the Vigilance Department would investigate into the matter; however, it would not generally interfere in the tendering process. The intention is not to stop the work in the organization.
- 9.5 As the Vigilance Department, NMPA deals with matter related to corruption, redressal of grievances should not be the focus of complaints to the Vigilance Department. If the complaint is regarding the administrative matters, the same will be referred to the concerned authorities for necessary action.
- 9.6 In case the complaint is addressed and marked copy to the multiple authorities, the Vigilance Department at its discretion may inquire into the complaint or may file the same without initiating any action.
- 9.7 If a complaint contains specific and verifiable allegations of corruption/ vigilance angle and a view is taken to investigate & report on a complaint, the Vigilance Department seeks confirmation from the complainant for owning or disowning the complaint. This step is necessary because, as per policy of the CVC, the Vigilance Department does not take cognizance of anonymous or pseudonymous complaints. The complainant is also required to provide a copy of his/her 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 NMPA. However, in case of non receipt of response within 15 days from the complainant, 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 and no inquiry/ investigation be initiated on such complaint.
- 9.8 Complaints received from the CVC under the provisions of PIDPI Resolution are not required to be verified for genuineness by the Vigilance

Department, NMPA, as the process of verification/ confirmation is completed in the CVC prior to referring it for investigation or further necessary action. Therefore, such complaints normally be taken up for investigation immediately on receipt of the same from the CVC and a report by CVO, NMPA would be required to be sent to CVC within three months from the date of receipt of reference.

9.9 The complaints where the CVC has called for Investigation/factual Report, shall be treated as a signed complaint and need not required to be verified and be taken up for investigation.

9.10 If the complainant makes a complaint on phone and do not disclose his identity, the complaint may be treated as anonymous. If the complainant gives his identity over the phone and later on do not send the complaint in writing, the cognizance of such complaint will not be taken.

9.11 No e-mail complaint will be entertained, since online complaint facility has been implemented through NMPA website.

9.12 Complaints which do not meet the above criteria will be filed.

9.13 The complaints received from/ through Member of Parliament/ VIPs, shall be dealt with on priority, upon receipt of confirmation of owning/ disowning from the complainant.

9.14. All the complaints received by the CVO, NMPA would be entered in the prescribed format in the complaint register in the Vigilance Department and will be allotted a complaint number.

9.15 Upon receipt of complaints, initial assessment will be carried out and the complaints are sorted within one month as per the following procedure:

- (i) The complaints are closed and filed, if the allegations are not having vigilance angle and vague or prima facie unverifiable, with the approval of the CVO. Wherever considered necessary, the matter will be brought to the notice of Chairman, NMPA for his/her information.

- (ii) If the complaint is regarding grievance redressal or pertaining to administrative matters, the same shall be forwarded to the concerned department for taking necessary action as deemed fit. In such cases, the department will be asked to revert back to Vigilance Department only if they find vigilance angle in the complaints.
- (iii) The following categories of complaints would ordinarily be closed and filed without taking any further action:
 - (a) Complaints which are anonymous or pseudonymous
 - (b) Complaint not directly addressed to CVO, NMPA and/or endorsed to multiple authorities
 - (c) Complaints about subjudice matter
 - (d) Complaints against private persons and officials of State or Central Government and which are not covered within the jurisdiction of Vigilance Department, NMPA.
 - (e) Complaints which are illegible.
- (iv) Complaints received from CVC for necessary action through its portal will be dealt as a normal complaint and will be dealt accordingly.
- (v) If on prima facie there appears a vigilance angle into the allegation made in the complaint, the complaint will be taken up for inquiry/ investigation to verify the allegations to decide whether or not, the official concerned should be proceeded against departmentally or in the court of law or both or otherwise. Such inquiry/investigation may normally takes around 3 months after the decision is taken for carrying out detailed investigation. For further process of seeking advice for initiating disciplinary proceedings and actions on such advice, detailed guidelines given in the Vigilance Manual 2021 of CVC will be followed.

10) Handling of Complaints against Board level Officers:

10.1 A complaint involving Board level appointees who are appointed by the Ministry of Ports, Shipping & Waterways (MoPSW), whether figuring alone or in association with others, is to be forwarded by the CVO, NMPA to the CVO of MoPSW. Under no circumstances, CVO, NMPA would initiate action on such complaints in accordance with the instructions given in para 3.5 of Vigilance Manual, 2021.

10.2 If the CVO of MoPSW asks for a factual report against a Board level appointee from the CVO, NMPA, the latter will send the same to the CVO of MoPSW, after endorsing a copy of the report to the Chairman, NMPA.

10.3 In order to avoid unnecessary harassment to the officials, against whom frivolous complaints are received at the time of their promotion, selection or empanelment, the complaints/ cases which are more than 5 years old and against which, no action has been taken till then, should not be taken into cognizance. However, the limit of 5 years will not apply to cases of fraud and other criminal offences.

11) Handling of Complaints against CVO and Vigilance Officers:

Any complaint against the CVO should be immediately referred to the CVC and the CVC would decide the further course of action thereon. However, the complaints against the other Vigilance functionaries shall be looked into the by the CVO, NMPA personally and further action would be taken as per prescribed procedure.

12) PROCESSING OF COMPLAINTS:

- 12.1 Only those complaints which are against employees falling within the jurisdiction of the Vigilance Department and contain allegations with vigilance angle will be taken cognizance of/investigated by the vigilance department.
- 12.2 Once a complaint is registered in the Vigilance Department of NMPA, further correspondence in the matter will not be entertained. However, Vigilance Department will ensure that the complaints are investigated and action taken to its logical conclusion.
- 12.3 Checking the genuineness of the complaint: The complainant needs to be contacted to verify the genuineness and also to clarify the gaps in information since, at times, the complainant may not be able to articulate the allegations properly. It is hence necessary that in all complaints where contact details are provided, the complainant is contacted, to verify the genuineness and also for additional information/clarification that the complainant could provide. Further, all signed complaints received from the complainant in person are to be acknowledged.
- 12.4 Non-vigilance complaints: Complaints, which relate to purely administrative matters or technical lapses, such as late attendance, disobedience, insubordination, negligence, lack of supervision or operational or technical irregularities, etc., should be dealt with separately under 'non-Vigilance complaints.'
- (a) The complaint will be forwarded to the administrative department concerned for disposal, in case the allegations are administrative in nature and no vigilance angle is involved.
 - (b) No action is necessary and the complaint will be simply filed in case the allegations are vague and general and are, prima facie, unverifiable.
 - (c) Wherever the Vigilance Officer, on perusal of the complaints, identifies the complaint to be a 'non-Vigilance Complaint', the same

shall be put up to CVO for further advice. Further action shall be taken based on the advice of CVO.

12.5 Complaints having Vigilance Angle:

- (a) In case there are no verifiable allegations constituting a Vigilance Angle, a proposal will be submitted for filing the complaint.
- (b) In case there are verifiable allegations in the complaint attracting vigilance angle, a proposal will be submitted for seeking verification/investigation.
- (c) On receipt of any complaint containing allegations against any tender in processing/ decision stage, the tender process need not be stopped. However, the allegations will be brought to the notice of the competent authority, including the purchase committee, tender committee, negotiation committee, etc. and the complaint will be taken up for investigation independently. It is clarified that while the Vigilance Department 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 organization.
- (d) As a rule, complaints relating to the incidents which are more than 5 years old and no action has been taken till then, should not be processed. However, the limit of 5 years will not apply to cases of fraud and other criminal offences.
- (e) No cognizance should be taken of any complaint which is received within six months prior to the initiation of selection process for senior posts.
- (f) Any other disposal action, based on the merits of the issues raised in the complaint, the reasons of which shall be recorded.

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

Whistle Blower (PIDPI) complaints received in the Vigilance Department of NMPA shall be processed as per CVC guidelines. The Government of India vide Gazette Notification No 371/12/2002-AVD -III dated 21.04.2004 r/w Corrigendum dated 29.04.2004 notified the Public

Interest Disclosure and Protection of Informers (PIDPI) Resolution 2004 and The DoPT vide Notification No. 371/4/2013- AVD III dated 14.08.2013 partially amended the PIDPI Resolution 2014.

In view of the above, the procedure to receive complaints relating to disclosure on any allegation of corruption or willful misuse of power or willful misuse of discretion by any New Mangalore Port Authority (NMPA) employee and to provide adequate safeguards against victimization of the person making such complaint and for matters connected therewith and incidental thereto, is as under:

- (a) The Central Vigilance Commission is authorized as the "Designated Agency" as to written complaints or disclosure on any allegation of corruption or of misuse of office by any employee of the Central Government or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or control by the Central Government.
- (b) The Chief Vigilance Officers of the Ministries or Departments of the Government of India are also authorized as the "Designated Authority" to receive written complaint or disclosure on any allegation of corruption or misuse of office by any employee of that Ministry or Department or of any corporation established by or under any Central Act, Government companies, Societies or local authorities owned or controlled by the Central Government or falling under the jurisdiction of that Ministry or the Department. Accordingly, the Chief Vigilance Officer of Ministry of Shipping, Port and Waterways (MoSPW) has been authorized as the 'Designated Authority' to receive written complaints from Whistle Blowers or disclosure on any allegation of corruption or misuse of office by any NMPA employee and to inquire or cause an inquiry into such disclosure and to provide adequate safeguards against victimization of the person making such complaint and for matters connected therewith and incidental thereto.

- (c) Any complaint to be made under this policy should comply with the following aspects:
- (i) The complaint should be in a closed/ secured envelope.
 - (ii) The envelope should be addressed to Secretary, Chief Vigilance Commission or Chief Vigilance Officer of MoSPW and should be superscribed "Complaint under the Public Interest Disclosure". If the envelope is not superscribed and closed, it will not be possible for the 'Designated Authority' to protect the complainant under PIDPI Resolution, 2004 and the complaint will be dealt with the normal complaint policy of NMPA. The complainant should give his/her name and address in the beginning or end of the complaint or in an attached letter.
 - (iii) Any anonymous/ pseudonymous complaint will not be entertained.
 - (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 disclosure or complaint should be specific and verifiable and shall contain as full particulars as possible and shall be accompanied by supporting documents or other materials.
 - (v) In order to protect identity of the person, the 'DESIGNATED AUTHORITY' will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the 'DESIGNATED AUTHORITY' in their own interest. The Designated Authority, subject to the facts of the case being verifiable, will take the necessary action, as provided under the PIDPI Resolution, 2004.
 - (vi) The 'DESIGNATED AUTHORITY' can also take action against Whistle Blower making motivated/vexatious complaints under the said Resolution.

- (vii) Details of PIDPI policy, is available at CVC website under circulars and archive (circular no 25/12/21 dated 24.12.2021). In case of any discrepancy in NMPA's Whistle Blower policy and PIDPI policy of CVC as amended from time to time, the policy as per the CVC circular or as amended from time to time shall prevail.
- (viii) If any complaint is received under PIDPI in Vigilance office of NMPA the same shall be forwarded to the Chief Vigilance Officer of Ministry of Shipping, Port and Waterways without opening. Further action will be taken by Chief Vigilance Officer of Ministry of Shipping, Port and Waterways.

13) ACTION ON COMPLAINTS:

- 13.1 Signed complaints: Such complaints shall be processed as mentioned in the policy. Source complaints/information received in writing shall be treated as signed complaint and processed as mentioned in the policy.
- 13.2 Anonymous and Pseudonymous complaints: Anonymous and pseudonymous complaints could be misused by disgruntled elements to harass honest officials. The CVC has, therefore, prescribed that no action should be taken on anonymous/pseudonymous complaints and such complaints should be filed.
- 13.3 Complaints sent on any email ID of officers of the Vigilance Department will not be entertained or taken cognizance of by the Vigilance Department.
- 13.4 Action on complaints referred by CVC: In case the complaint does not attract Vigilance Angle or the issue is of petty nature the CVC forwards such complaints for necessary action to redress the grievance of the complainant. The action taken report on these complaints is not required to be sent to the CVC for further advice until and unless something more serious is brought out subsequently. The complaint will be disposed off by Vigilance departments/organizations themselves after necessary action.

13.5 Wherever the CVC calls for 'action and report' on a complaint, it is treated as a signed complaint though on the face of the complaint, it may be anonymous/pseudonymous. A Report has to be submitted to the CVC in such cases for obtaining necessary advice of the CVC. Wherever, the CVC calls for 'investigation and report/factual Report' on a complaint, the reports of the investigation should normally be sent to the CVC. However, after the investigation, if it is found that the officials involved in the case do not fall under the jurisdiction of the CVC the case need not be referred to the CVC and may be dealt with by the CVO. In such cases, action taken by the CVO may be intimated to the CVC in order to monitor compliance. This dispensation does not apply to PIDPI complaints forwarded by them.

13.6 If the Complaints under the purview of the Administrative Ministry, and are forwarded by the Administrative Ministry for report, in all such cases, the factual report shall be sent to the Ministry, the copy of which shall also be endorsed to the CVC.

14) **Other Miscellaneous Points regarding Complaint Handling:**

14.1 Each and every complaint and the resultant investigation report will be scrutinized to find out the possibility of systemic lacuna, that may have resulted in irregular acts being committed by the suspected officials. The outcome of such scrutiny should be utilized to devise and implement systemic improvements to stop recurrence of such irregular acts.

14.2 CVO, NMPA to review all complaints pending for investigation in NMPA at regular intervals and take necessary steps for ensuring expeditious finalization of reports and further necessary action, as may be required in individual cases.

14.3 The CVC has been laying emphasis on timely/ prompt action on complaints. For this purpose, the CVC has issued guidelines on various occasions, specifying the time limit for dealing with complaints. The same is summarized in the following table:

S.No	Description	Timeline
1	Timeline for seeking confirmation from complainant before initiating Investigation process	15 days
2	If confirmation not received within 15 days, reminder to be sent to complainant (If no response received ever after reminder, complaint may be filed treating as pseudonymous complaints).	15 days
3	Timeline for submission of Investigation Report to the CVC on complaints referred by it to the CVOs concerned for investigation.	3 months (or as may be specified by the CVC, in individual matter)
4	In case, it is felt that it would not be possible to complete the investigation within the specified period, time limit for approaching the CVC for seeking extension of time, with the approval of the competent authority	15 days
5	Timeline for submission of investigation report in PIDPI complaints, referred by the CVC.	12 weeks
6	Timeline for submitting response by CVOs to the CVC in respect of references made by it to CBI/ Ministries for clarification/ comments in the matter of complaints.	6 weeks
7	Timeline for CVOs to scrutinize and decide about action to be taken on the complaints sent by the CVC for necessary action to the CVOs concerned.	1 month
8	Timeline for giving opinion by the Disciplinary Authority, about existence of vigilance angle on complaint, in case of difference of opinion with CVO	15 days

14.4 It is to be noted that once a complainant confirms the complaint and investigation has been initiated, it is not permissible to withdraw/ stop the investigation, even if the complainant requests for withdrawal or for stopping the investigation. The allegations contained in the complaint have to be taken to their logical conclusion, once investigation has started.

14.5 There are specific provisions in law to deal with false, frivolous and motivated complaints. The same are not evoked ordinarily for the sake of genuine complainants. However, in cases where it can be established that the complaints were lodged with a malafide/ ulterior motive to harass or harm an innocent Government servant, necessary action could be taken against such complainants as per law. The following actions may be taken against persons making false complaints: -

- (a) Under Section 182 of the Indian Penal Code, 1860, a person making false complaint can be prosecuted.
- (b) Under Section 195(1)(a) of Code of Criminal Procedure, 1973, a person making a false complaint can be prosecuted on the basis of a complaint lodged with a court of competent jurisdiction by the public servant to whom the false complaint was made or by some other public servant to whom he is subordinate.
- (c) If the person making a false complaint is a public servant, departmental action may also be considered against him as an alternative to prosecution.
