



# भारत का राजपत्र The Gazette of India

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प्राधिकार से प्रकाशित  
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कार्मिक, लोक-शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

संकल्प

नई दिल्ली, 21 अप्रैल, 2004

सं.-371/12/2002-ए.बी.डी.-III.—जबकि सर्वोच्च न्यायालय ने श्री सत्येन्द्र दुबे की हत्या के संबंध में रिट याचिका (सी.) संख्या-539/2003 को सुनवाई करते समय यह इच्छा व्यक्त की कि उपयुक्त विधान के बनाए जाने तक "पर्दाफाशों या भण्डाफोडों (विसल ब्लोअर्स)" से प्राप्त शिकायतों पर कार्रवाई किए जाने के लिए उपयुक्त तंत्र व्यवस्था तैयार की जाए।

और जबकि विधि आयोग द्वारा तैयार किए गए लोकहित प्रकटीकरण और मुखबिर संरक्षण विधेयक, 2002 की जांच-पड़ताल चल रही है।

अतः अब, केन्द्र सरकार एतद्वारा निम्नलिखित संकल्प लेती है :—

1. केन्द्रीय सतर्कता आयोग को केन्द्रीय सरकार अथवा किसी केन्द्रीय अधिनियम के द्वारा अथवा इसके अंतर्गत स्थापित किन्हीं निगमों, केन्द्र सरकार के स्वामित्व वाली अथवा इसके द्वारा नियंत्रित सरकारी कम्पनियों, सोसाइटियों अथवा स्थानीय प्राधिकरणों के किसी कर्मचारी पर भ्रष्टाचार के किसी आरोप अथवा पद के दुरुपयोग के सम्बन्ध में लिखित शिकायतें प्राप्त करने अथवा प्रकटीकरण सम्बन्धी दस्तावेज प्राप्त करने के लिए एतद्वारा मनोनीत अभिकरण के रूप में प्राधिकृत किया जाता है। प्रकटीकरण अथवा शिकायत में यथासंभव सभी विवरण होंगे और इसमें समर्थक दस्तावेज अथवा अन्य सामग्री शामिल होगी।
2. मनोनीत अभिकरण यदि ऐसा उचित समझे तो वह प्रकटीकरण करने वाले व्यक्तियों से और जानकारी अथवा विवरण मंगवा सकता है। यदि शिकायत बेनामी है तो मनोनीत अभिकरण इस मामले में कोई कार्रवाई नहीं करेगा।
3. शासकीय गुप्त अधिनियम, 1923 में विहित किसी बात के बावजूद भी संविधान के अनुच्छेद 33 के खण्ड (क) से (घ) में संदर्भित व्यक्तियों से भिन्न कोई लोक सेवक अथवा किसी गैर-सरकारी संगठन सहित कोई अन्य व्यक्ति मनोनीत अभिकरण को लिखित प्रकटीकरण भेज सकता है।
4. यदि शिकायत में शिकायतकर्ता का ब्यौरा भी दिया गया है तो मनोनीत अभिकरण निम्नलिखित कदम उठाएगा :—
  - (i) मनोनीत अभिकरण शिकायतकर्ता से यह पता लगाएगा कि क्या यह वही व्यक्ति है अथवा नहीं है जिसने शिकायत की है।
  - (ii) शिकायतकर्ता की पहचान उद्घाटित नहीं की जाएगी जब तक कि शिकायतकर्ता ने स्वयं शिकायत का ब्यौरा सार्वजनिक न कर दिया हो अथवा किसी अन्य कार्यालय अथवा प्राधिकारी को अपनी पहचान नहीं बता दी हो।

- (iii) शिकायतकर्ता की पहचान गुप्त रखने के पश्चात् मनोनीत अभिकरण प्रथमतः यह पता लगाने के लिए विवेकपूर्ण जांच-पड़ताल करेगा कि क्या इस शिकायत पर आगे कार्रवाई करने का कोई आधार बनता है। इस प्रयोजन हेतु मनोनीत अभिकरण एक समुचित तंत्र बनाएगा।
- (iv) शिकायत की विवेकपूर्ण जांच-पड़ताल करने के परिणामस्वरूप अथवा बिना जांच-पड़ताल के केवल शिकायत के आधार पर ही यदि मनोनीत अभिकरण का यह मत होता है कि मामले की और जांच-पड़ताल करवाई जानी अपेक्षित है तो मनोनीत अभिकरण सम्बन्धित संगठन अथवा कार्यालय के विभागाध्यक्ष से सरकारी तौर पर उनकी टिप्पणियाँ/अथवा उनके स्पष्टीकरण मांगेगा। ऐसा करते समय मनोनीत अभिकरण मुखबिर की पहचान प्रकट नहीं करेगा और सम्बन्धित संगठन के अध्यक्ष को यह भी अनुरोध करेगा कि यदि उन्हें किसी कारणवश मुखबिर की पहचान का पता चल जाता है तो वे मुखबिर की पहचान गुप्त रखेंगे।
- (v) सम्बन्धित संगठन का उत्तर प्राप्त होने के बाद यदि मनोनीत अभिकरण का यह मत होता है कि अन्वेषण से पद के दुरुपयोग अथवा भ्रष्टाचार के पुख्ता आरोपों का पता चलता है तो मनोनीत अभिकरण सम्बन्धित सरकारी विभाग अथवा संगठन को उपयुक्त कार्रवाई करने की संस्तुति करेगा। इनमें अन्य बातों के साथ-साथ निम्नलिखित शामिल होगा :—
- (क) सम्बन्धित सरकारी कर्मचारी के विरुद्ध उपयुक्त कार्यवाहियाँ शुरू किया जाना।
- (ख) भ्रष्टकृत्य अथवा पद के दुरुपयोग जैसी भी स्थिति हो, के परिणामस्वरूप सरकार को हुई हानि की पूर्ति के लिए उपयुक्त प्रशासनिक कदम उठाना।
- (ग) मामले के तथ्यों और परिस्थितियों को देखते हुए यदि ऐसा न्यायसंगत हो तो उपयुक्त मामलों में आपराधिक कार्यवाहियाँ शुरू किए जाने के बारे में उपयुक्त प्राधिकारी/अभिकरण को सिफारिश करना।
- (घ) भविष्य में ऐसी घटनाओं की पुनरावृत्ति रोकने के लिए सुधारात्मक उपाय किए जाने की सिफारिश करना।
5. पूर्ण जांच-पड़ताल करने अथवा सम्बन्धित संगठन से जानकारी प्राप्त करने के प्रयोजन से मनोनीत अभिकरण को प्राप्त शिकायत के अनुक्रम में जांच-पड़ताल को पूरी करने में सभी प्रकार की सहायता प्रदान करने के लिए यथावश्यक समझे जाने पर केन्द्रीय अन्वेषण ब्यूरो अथवा पुलिस अधिकारियों को सहायता देने के लिए प्राधिकृत किया जाएगा।
6. यदि कोई व्यक्ति किसी कार्रवाई से इस आधार पर व्यथित होता है कि उसे इस तथ्य के आधार पर पीड़ित किया जा रहा है कि उसने शिकायत दायर की है अथवा प्रकटीकरण किया है तो वह इस मामले के निवारण की प्रार्थना करते हुए मनोनीत अभिकरण के समक्ष एक आवेदन दायर कर सकता है जो यथावश्यक उपयुक्त समझी जाने वाली कार्रवाई करेगा। मनोनीत अभिकरण सम्बन्धित सरकारी सेवक अथवा सरकारी प्राधिकारी को जैसी भी स्थिति हो, उपयुक्त निर्देश दे दे।
7. शिकायतकर्ता के आवेदन पर अथवा एकत्रित की गई जानकारी के आधार पर यदि मनोनीत अभिकरण का यह मत होता है कि शिकायतकर्ता अथवा गवाहों को संरक्षण दिए जाने की आवश्यकता है तो मनोनीत अभिकरण सम्बन्धित सरकारी प्राधिकारियों को उपयुक्त निर्देश जारी करेगा।
8. इस कार्य में प्रयुक्त तंत्र, मौजूदा कार्य तंत्र के अतिरिक्त होगा। तथापि, यदि शिकायत इस तंत्र के अन्तर्गत प्राप्त होती है तो पहचान को गुप्त रखा जाएगा।
9. यदि मनोनीत अभिकरण शिकायत को अभिप्रेरित अथवा कष्टप्रद स्वरूप की पाता है तो मनोनीत अभिकरण उपयुक्त कदम उठाने के लिए स्वतंत्र है।
10. मनोनीत अभिकरण निम्नलिखित स्वरूप के प्रकटीकरण पर कार्रवाई अथवा उसकी जांच-पड़ताल नहीं करेगा :—
- (क) ऐसे किसी मामले जिसमें लोक सेवक जांच अधिनियम, 1850 के अन्तर्गत एक औपचारिक और सार्वजनिक जांच का आदेश दे दिया गया हो; अथवा
- (ख) ऐसा कोई मामला जिसे जांच आयोग अधिनियम, 1952 के तहत जांच के लिए भेजा गया है।
11. मनोनीत अभिकरण के निर्देशों के विपरीत मुखबिर की पहचान उद्घाटित हो जाने पर मनोनीत अभिकरण ऐसा प्रकटीकरण करने वाले किसी व्यक्ति अथवा अभिकरण के विरुद्ध मौजूदा विनियमों के अनुसार उपयुक्त कार्रवाई शुरू किए जाने के लिए प्राधिकृत है।
12. इस कार्य हेतु सृजित तंत्र, संसद द्वारा इस विषय में कानून बनाए जाने तक लागू रहेगा।

श्रीमती मंजुलिका गौतम, अपर सचिव

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**

**(Department of Personnel and Training)**

**RESOLUTION**

New Delhi, the 21st April, 2004

No. 371/12/2002-AVD-III.—Whereas while hearing Writ Petition (C) No. 539/2003 regarding the murder of Shri Satyendra Dubey, the Supreme Court desired that pending enactment of a suitable legislation, suitable machinery should be put in place for acting on complaints from "whistle-blowers".

And whereas the 'The Public Interest Disclosure and Protection of Informers' Bill, 2002, drafted by the Law Commission is under examination.

Now, therefore, the Central Government hereby resolves as under :

1. The Central Vigilance Commission (CVC) is hereby authorized, as the Designated Agency, to 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 by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government. The disclosure or complaint shall contain as full particulars as possible and shall be accompanied by supporting documents or other material.
2. The designated agency may, if it deems fit call for further information or particulars from the persons making the disclosure. If the complaint is anonymous, the designated agency shall not take any action in the matter.
3. Notwithstanding anything contained in the Official Secrets Act, 1923, any public servant other than those referred to clauses (a) to (d) of Article 33 of the Constitution or any other person including any non-governmental organisation, may make a written disclosure to the designated agency.
4. If the complaint is accompanied by particulars of the person making the complaint, the designated agency shall take the following steps :
  - (i) The designated agency will ascertain from the complainant whether he was the person who made the complaint or not.
  - (ii) The identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other office or authority.
  - (iii) After concealing the identity of the complainant, the designated agency shall make, in the first instance, discreet inquiries to ascertain if there is any basis of proceeding further with the complaint. For this purpose, the designated agency shall devise an appropriate machinery.
  - (iv) Either as a result of the discreet inquiry, or on the basis of the complaint itself without any inquiry, if the designated agency is of the opinion that the matter requires to be investigated further, the designated agency shall officially seek comments/or explanation from the Head of the Department of the concerned organisation or office. While doing so, the designated agency shall not disclose the identity of the informant and also shall request the concerned Head of the organisation to keep the identity of the informant secret, if for any reason, the concerned Head comes to know the identity.
  - (v) After obtaining the response of the concerned organisation, if the designated agency is of the opinion that the investigations reveal either mis-use of office or substantiate allegations of corruption, the designated agency shall recommend appropriate action to the concerned Government Department or Organization. These shall, *inter alia*, include following :
    - (a) Appropriate proceedings to be initiated against the concerned Government servant.
    - (b) Appropriate administrative steps for redressing the loss caused to the Government as a result of the corrupt act or mis-use of office, as the case may be.
    - (c) Recommend to the appropriate authority/agency initiation of criminal proceedings in suitable cases, if warranted by the facts and circumstances of the case.
    - (d) Recommend taking of corrective measures to prevent recurrence of such events in future.

5. For the purpose of making discreet inquiry or obtaining information from the concerned organisation, the designated agency 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.
6. 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 the designated agency seeking redress in the matter, who shall take such action, as deemed fit. The designated agency may give suitable directions to the concerned public servant or the public authority as the case may be.
7. Either on the application of the complainant, or on the basis of the information gathered, if the designated agency is of the opinion that either the complainant or the witnesses need protection, the designated agency shall issue appropriate directions to the concerned Government authorities.
8. The machinery evolved herein shall be in addition to the existing mechanisms in place. However, secrecy of identity shall be observed, only if the complaint is received under this machinery.
9. In case the designated agency finds the complaint to be motivated or vexatious, the designated agency shall be at liberty to take appropriate steps.
10. The designated agency shall not entertain or inquire into any disclosure :
  - (a) in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850; or
  - (b) in respect of a matter which has been referred for inquiry under the Commissions of Inquiry Act, 1952.
11. In the event of the identity of the informant being disclosed in spite of the designated agency's directions to the contrary, the designated agency is authorized to initiate appropriate action as per extant regulations against the person or agency making such disclosure.
12. The machinery created herein shall operate till Parliament passes a law on the subject.

SMT. MANJULIKA GAUTAM, Addl. Secy.



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कार्मिक, लोक-शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

सुद्धिपत्र

नई दिल्ली, 29 अप्रैल, 2004

सं. 371/12/2002-ए.वी.डी.-III.— भारत के असाधारण राजपत्र भाग-I, खण्ड 1 में दिनांक 21 अप्रैल, 2004 को प्रकाशित भारत सरकार के संकल्प संख्या 89 का आंशिक संशोधन करते हुए, उक्त संकल्प के प्रारंभिक पैरा तथा पैरा-2 में निम्नलिखित संशोधन किए जाते हैं :

(i) संकल्प के प्रारंभिक पैरा को निम्न प्रकार से प्रतिस्थापित किया जाता है :

“जबकि श्री सत्येन्द्र दुबे की हत्या के सम्बन्ध में रिट चाचिका (सी.) संख्या 539/2003 की सुनवाई करते समय, ‘पर्दाफाशों या भण्डाफोड़ों (विसल ब्लोअर्स)’ से प्राप्त शिकायतों पर कार्रवाई किए जाने के लिए उपयुक्त तंत्र का प्रश्न उठा”।

(ii) संकल्प के अंग्रेजी पाठ के पैरा 2 में शब्द ‘designateed’ (डेजिगनेटीड) को शब्द ‘designated’ (डेजिगनेटेड) से प्रतिस्थापित किया जाता है।

श्रीमती मंजुलिका गौतम, अपर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

CORRIGENDUM

New Delhi, the 29th April, 2004

No. 371/12/2002-AVD.III.—In partial modification of the Government of India's Resolution No. 89, published in the Gazette of India Part I Section 1, Extraordinary dated 21st April, 2004, the following modifications are made in the opening para and para-2 of the said Resolution :

(i) The opening para of the Resolution is substituted as :

“Whereas while hearing Writ Petition (C) No. 539/2003 regarding the murder of Shri Satyendra Dubey, the question of a suitable machinery for acting on complaints from ‘whistle-blowers’ arose.”

(ii) In para 2 the word “designateed” is substituted as “designated”.

Smt. MANJULIKA GAUTAM, Addl. Secy.



# भारत का राजपत्र

## The Gazette of India

असाधारण

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नई दिल्ली, बृहस्पतिवार, अगस्त 29, 2013/भाद्र 7, 1935

No. 190]

NEW DELHI, THURSDAY, AUGUST 29, 2013/BHADRA 7, 1935

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

( कार्मिक और प्रशिक्षण विभाग )

संकल्प

नई दिल्ली, 14 अगस्त, 2013

सं. 371/4/2013/एवीडी-III.—भारत के असाधारण राजपत्र, भाग I, खण्ड 1 में प्रकाशित लोकहित प्रकटन तथा मुखबिरों की सुरक्षा के अंतर्गत शिकायत प्रबंधन हेतु केन्द्रीय सतर्कता आयोग (सीवीसी) को मनोनीत अधिकरण के रूप में प्राधिकृत करने वाले, इस मंत्रालय के संकल्प संख्या 371/12/2002/एवीडी-III दिनांक 21 अप्रैल, 2004 में निम्नलिखित संशोधन किए जाते हैं, अर्थात्:—

उक्त संकल्प में,—

- (i) पैरा 2, 3, 4, 5, 6, 8, 9, 10 एवं 11 शब्द “मनोनीत अधिकरण” जहां कहीं भी प्रयोग में आए हों, को क्रमशः “मनोनीत अधिकरण अथवा मनोनीत प्राधिकरण” शब्दों से प्रतिस्थापित किया जाएगा;
- (ii) पैरा 1 में शब्द “प्रकटीकरण अथवा शिकायत में यथासंभव सभी विवरण होंगे और इसमें समर्थक दस्तावेज अथवा अन्य सामग्री शामिल होगी” का लोप किया जाएगा;
- (iii) पैरा 1 के बाद निम्नलिखित पैरा जोड़े जाएंगे, अर्थात्:—

“1क. भारत सरकार के मंत्रालय अथवा विभागों के मुख्य सतर्कता अधिकारियों को, उस मंत्रालय या विभाग, किसी

केन्द्रीय अधिनियम के द्वारा या इसके अंतर्गत स्थापित किसी निगम अथवा केन्द्र सरकार के स्वामित्व या नियंत्रणाधीन सरकारी कंपनियों, संस्थाओं अथवा स्थानीय प्राधिकरणों जो उस मंत्रालय या विभाग के अधिकार क्षेत्र में आते हों, के किसी कर्मचारी पर भ्रष्टाचार अथवा पद के दुरुपयोग के किसी आरोप के संबंध में लिखित शिकायत या प्रकटन संबंधी शिकायत प्राप्त करने के लिए मनोनीत प्राधिकारी के रूप में भी प्राधिकृत किया गया है।

1ख : प्रकटन या शिकायत में जितना संभव हो सम्पूर्ण विवरण समाहित होगा एवं इसके साथ समर्थित दस्तावेज या अन्य सामग्री होगी।”

- (iv) पैरा 7 के बाद, निम्नलिखित पैरा जोड़ा जाएगा, अर्थात्:—

“7क. या तो शिकायतकर्ता के आवेदन पर या संग्रहित सूचना के आधार पर, यदि मनोनीत प्राधिकारी का मत हो कि शिकायतकर्ता या गवाह को संरक्षण की आवश्यकता है तो मनोनीत प्राधिकारी, संबंधित सरकारी प्राधिकारियों को समुचित दिशानिर्देश जारी करने के लिए इस मामले को केन्द्रीय सतर्कता आयोग के साथ उठाएगा।”

- (v) पैरा 11 के बाद, निम्नलिखित पैरा जोड़ा जाएगा, अर्थात्:—

“11क. केन्द्रीय सतर्कता आयोग (सीवीसी) मनोनीत प्राधिकारी को प्राप्त शिकायतों का पर्यवेक्षण एवं निगरानी करेगा।”

दीप्ति उमाशंकर, संयुक्त सचिव

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS**

**(Department of Personnel and Training)**

**RESOLUTION**

New Delhi, the 14th August, 2013.

No.371/4/2013-AVD-III - In this Ministry's Resolution No.371/12/2002-AVD-III dated 21st April, 2004, published in the Gazette of India, Extraordinary, Part I, Section 1, authorising the Central Vigilance Commission (CVC) as the Designated Agency for handling of complaints under the Public Interest Disclosure and Protection of Informers, the following amendments are hereby made, namely:-

In the said Resolution,-

- (i) in paragraphs 2, 3, 4, 5, 6, 8, 9, 10 and 11, for the words "the designated agency" wherever they occur, the words "the designated agency or the designated authority" shall respectively be substituted;
- (ii) in paragraph 1, the words "The disclosure or complaint shall contain as full particulars as possible and shall be accompanied by supporting documents or other material." shall be omitted;
- (iii) after paragraph 1, the following paragraphs shall be inserted, namely:-
 

"1A. The Chief Vigilance Officers of the Ministries or Departments of the Government of India are also authorised 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 and falling under the jurisdiction of that Ministry or the Department.

1B. The disclosure or complaint shall contain as full particulars as possible and shall be accompanied by supporting documents or other materials.":

- (iv) after paragraph 7, the following paragraph shall be inserted, namely:-

"7A. Either on the application of the complainant, or on the basis of the information gathered, if the designated authority is of the opinion that either the complainant or the witnesses need protection, the designated authority, shall take up the matter with the Central Vigilance Commission, for issuing appropriate directions to the Government authorities concerned.":

- (v) after paragraph 11, the following paragraph shall be inserted, namely:-

"11A. The Central Vigilance Commission (CVC) shall supervise and monitor the complaints received by the designated authority.":

DEEPTI UMASHANKAR, Jt. Secy.

## Public Notices

### GOI Resolution on Public Interest Disclosure and Protection of Informer

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to 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 controlled by the Central Government. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.**

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the 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 **superscribed "Complaint under The Public Interest Disclosure"**. If the envelope is not superscribed 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 Commission. 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 identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are **advised not to enter into any further correspondence** with the Commission in their own interest. The Commission assures that, subject to the 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 Commission can also take **action against complainants making motivated/vexatious complaints** under this Resolution.

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

**Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi.**

**Sd/-  
Secretary  
Central Vigilance Commission**



## **Important Features of the “Whistle-Blowers” Resolution**

- 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.
- The designated agency will ascertain the identity of the complainant; if the complainant is anonymous, it shall not take any action in the matter. • The identity of the complainant will not be revealed unless the complainant 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, the Commission shall not disclose the identity of the informant and also shall request the concerned head of the organisation to keep the identity of the informant a secret, if for any reason the head comes to know the identity.
- The Commission shall be authorised 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.
- If any person is aggrieved by any action on the ground that he is being victimised due to the fact that he had filed a complaint or disclosure, he may file an application before the Commission seeking redress in the matter, wherein the Commission may give suitable directions to the concerned person or the authority.
- 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.
- In case the Commission finds the complaint to be motivated or vexatious, it shall be at liberty to take appropriate steps.
- 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.
- In the event of the identity of the informant being disclosed in spite of the Commission’s directions to the contrary, it is authorised to initiate appropriate action as per extant regulations against the person or agency making such disclosure.

No.004/VGL/26  
Government of India  
Central Vigilance Commission

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Satarkta Bhawan, Block 'A',  
GPO Complex, INA,  
New Delhi- 110 023  
Dated the 17<sup>th</sup> May, 2004

**Office Order No. 33/5/2004**

**Subject:- Govt. of India Resolution on Public Interest Disclosures & Protection of Informer.**

The Government of India has authorised the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. A copy of the Public Notice issued by the Central Vigilance Commission with respect to the above mentioned Resolution is enclosed. All CVOs are further required to take the following actions with respect to the complaints forwarded by the Commission under this Resolution:

- (i) All the relevant papers/documents with respect to the matter raised in the complaint should be obtained by the CVO and investigation into the complaint should be commenced immediately. The investigation report should be submitted to the Commission within two weeks.
- (ii) 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."
- (iii) 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 Commission informed of delay, if any.
- (iv) Contents of this order may be brought to the notice of Secy./CEO/CMD.

**All CVOs may note the above directions for compliance.**

Sd/-  
(Sujit Banerjee)  
Secretary

To

All Chief Vigilance Officers

## Central Vigilance Commission

### Press Release:

The Government of India has authorized the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. The jurisdiction of the Commission in this regard would be restricted to 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 controlled by the Central Government. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission.**

3. In this regard, the Commission, which will accept such complaints, has the responsibility of keeping the 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 superscribed "Complaint under The Public Interest Disclosure". If the envelope is not superscribed 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 Commission. 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 identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are advised not to enter into any further correspondence with the Commission in their own interest. The Commission assures that, subject to the 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 Commission can also take action against complainants making motivated/vexatious complaints under this Resolution.

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

TelegraphicAddress :  
"SATARKTA: New Delhi

E-Mail Address  
cenvigil@nic.in

Website  
www.cvc.nic.in

EPABX  
24651001 - 07

फैक्स/Fax : 24616286



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi 110023

004/VGL/26

Office Order No.04/02/12

सं./No.....

दिनांक / Dated 13<sup>th</sup> February, 2012

**Sub: Gol Resolution on the Public Interest Disclosure & Protection of Informers  
(PIDPI)- Guidelines thereon.**

The Government of India has authorized the Central Vigilance Commission (CVC) as the Designated Agency to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action under the Public Interest Disclosure & Protection of Informers (PIDPI) Resolution, 2004. Accordingly, Commission had also vide circular No.33/5/2004 dated 17/05/2004 issued guidelines and public notice on the procedure to be followed for filing whistle blower complaints under PIDPI Resolution for protecting identity of complainants/informers.

2. The Commission has noticed over the years that many complainants claiming to be 'Whistle Blowers' do not conform to the procedures prescribed by the Commission while filing the complaints to the Commission under PIDPI Resolution. The Commission would therefore emphasize the need for creating greater awareness among the public including employees of every Organization/Deptt. for lodging whistle blower complaints. The Commission would again suggest to all CVOs of Ministries/Departments/PSUs/Banks/ Insurance Companies/Local Authorities/Societies etc., to give wide publicity to PIDPI Resolution and the guidelines issued by the Commission through their website, especially intranet of the Organization, Internal Journals, publications and also organize seminars/sensitizations etc. to inculcate greater awareness so as to encourage the public especially insiders to come forward and lodge/report information of corrupt practices or misuse of office in the respective Organizations/Departments to the Central Vigilance Commission.

(J Vinod Kumar)

Officer on Special Duty

To

All CVOs of Ministries/Departments/Public Sector Undertakings/Public Sector Banks/Insurance Companies/Local Authorities/Societies.

No. 371/4/2013-AVD-III  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block New Delhi  
Dated the 3<sup>rd</sup> September, 2013

**OFFICE MEMORANDUM**

Subject: Amendment of Government of India's Resolution No. 89 published in the Gazette of India Part I Section 1, Extraordinary dated 21<sup>st</sup> April, 2004(read with corrigendum dated 29<sup>th</sup> April, 2004) commonly known as the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution-regarding

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In continuation of this Department's OM of even No. dated 14<sup>th</sup> August, 2013, the undersigned is directed to enclose herewith a copy of printed version of Extraordinary Gazette Notification on the above subject for information and necessary action.

Encl: As above.



(M.M. Maurya)

Under Secretary to the Government of India  
Tel. No. 23094541

To,

All the Ministries/ Departments of the Government of India.

Copy to:

1. PMO, South Block, New Delhi.
2. The Secretary, Central Vigilance Commission, Satarkata Bhavan, New Delhi.
3. The Cabinet Secretariat, New Delhi, w.r.t. their I.D. No. 28/CM/2013(i) dated 8<sup>th</sup> August, 2013
4. PS to Hon'ble MOS(PP), PPS to Secretary(P)/EO&AS/AS(S&V), DOPT.
5. The CVO, Department of Personnel and Training, New Delhi.
6. Order Bundle/Guard file.

No. 371/4/2013-AVD-III  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block New Delhi  
Dated the 16<sup>th</sup> June, 2014

**OFFICE MEMORANDUM**

Subject: Amendment of Government of India's Resolution No. 89 published in the Gazette of India Part I Section 1, Extraordinary dated 21<sup>st</sup> April, 2004(read with corrigendum dated 29<sup>th</sup> April, 2004) commonly known as the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution-regarding

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In continuation of this Department's OM of even No. dated 3<sup>rd</sup> September, 2013 on the above subject, the undersigned is directed to enclose herewith a copy of **Procedure for handling of complaints under Public Interest Disclosure and Protection of Informers (PIDPI) Resolution to be followed by the Chief Vigilance Officers of the Ministries/Departments of the Government of India** who have been authorized as the Designated Authority to receive written complaint or disclosure on any allegation of corruption or misuse of office by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government and falling under the jurisdiction of that Ministry or the Department.

2. The CVOs in the Ministries or Department, either on the application of the complainant or on the basis of the information gathered, is of the opinion that either the complainant or the witnesses need protection, they shall take up the matter with the Central Vigilance Commission(CVC), of issuing appropriate directions to the authorities concerned.

3. It is requested to give wide publicity to the Procedure for handling of complaints under PIDPI Resolution by placing it along with the name and designation of the designated authorities on the website of Ministries as well as of the organizations under the Ministries. A copy of the PIDPI Resolution No. 89 dated 21<sup>st</sup> April, 2004 and Amendment Resolution No. 190 dated 29.8.2013 is also enclosed

Encl: As above.



(M.M. Maurya)

Under Secretary to the Government of India  
Tel. No. 23094541

To,

CVOs in the Ministries/Departments of the Government of India.  
(By name as per enclosed list)

-----2/-

Copy for information to:

1. All the Ministries/ Departments of the Government of India.
2. The Cabinet Secretariat, New Delhi.
3. The Secretary, Central Vigilance Commission, Satarkata Bhavan, New Delhi. It is requested that the content of this OM may be uploaded on the website of the Commission and wide publicity may be given. The CVOs of the Ministries/Departments may also be addressed by the Commission.
4. PS to Hon'ble MOS(PP), PPS to Secretary(P)/EO&AS/AS(S&V), DOPT.
5. The CVO, Department of Personnel and Training, New Delhi.
6. NIC, DoP&T for uploading on DoP&T website.
7. Order folder/Guard file.

**Procedure for handling of complaints under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution dated 21.4.2004 to be followed by the designation authority (CVOs or Ministries/Departments).**

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1.	The 'Designated Authority' shall authorize an officer not below the level of Section Officer (SO) for receiving complaints under the PIDPI Resolution.
2.	All envelopes super-scribed with ' <i>Complaint under The Public Interest Disclosure</i> ' will be opened by the SO/In-charge, so authorized, in presence of the 'Designated Authority'.
3.	The identity of the complainant would be confirmed by the SO/In-charge by writing a letter to him/her. Sample of the letter is at Annexure-I.
4.	After the identity is confirmed, both, 'Designated Authority' and the SO/In-charge, will ensure that the identity of the complainant is removed from the body of the complaint and the dummy complaint given a number along with central registry diary number with which the original complaint can be traced back.
5.	The original complaint would be kept in a safe/almirah. The custody of the almirah will remain with the concerned Section Officer and at no time that complaint can be accessed without proper authority from the 'Designated Authority'.
6.	The dummy complaint so made would be submitted to the 'Designated Authority' who would take the decision whether the matter requires to be looked into further and report is to be called in the matter from any quarters. ( <i>Separate files may be open for each complaint</i> )
7.	While considering the complaints the 'Designated Authority' would take no action on complaints relating to administrative matters like recruitment, promotion transfers and other related issues. However, in case of serious complaints of irregularity in these matters, the same could be brought to the notice of the Secretary/Head of the organization for taking appropriate action.
8.	In such cases where a decision has been taken to call for a report, a maximum time limit of 2 weeks may be given. In case no reply is received within two weeks, a reminder should be sent at the level of the "Designated Authority". If no reply is still received, the second reminder



	after 2 weeks should be sent at the level of the Secretary. If no reply is still received, the "Designated Authority" may call for an explanation and recommend administrative action for deliberate delay.
9.	On receipt of the report, the concerned SO/In-charge will put up the matter to the 'Designated Authority' who shall investigated into the complaint and prepare an investigation report within two weeks.
10.	The "Designated Authority" would submit the investigation report alongwith his recommendation to the Central Vigilance Commission for further direction.
11.	Meanwhile, the "Designated Authority" shall ensure that no punitive action is taken by any concerned Administrative authority against any person on perceived reasons/suspicion of being "whistle blower".
12.	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 Commission informed of delay, if any.
13.	The Section Officer/In-charge should maintain a separate list for the complaints received under the 'PIDPI Resolution' and enter the information in the computer system and monitor their progress periodically and put up the same to the 'Designated Authority every 2 weeks.
14.	Wherever the complainant has alleged victimization/harassment the 'Designated Authority' should ensure that if the identity of the complainant somehow becomes known he/she should not be harassed/victimized by way of frequent transfers etc.
15.	In case a complainant seeks protection and reports that his life is in danger, the 'Designated Authority' would examine the same and send his recommendation to the CVC to take up the matter with the Nodal Officers of respective States/UTs appointed by the Ministry of Home Affairs/State Governments for the purpose of providing security cover to the whistle blowers.

**ANNEXURE-I**

**CONFIDENTIAL**

Speed post/Registered post

F. No. Conf./ /...  
Government of India  
Ministry of .....

.....  
New Delhi the ..... 2014

To,

Sir,

Please refer to your complaint dated ..... received in this Ministry/Department on ..... under "Public Interest Disclosure & Protection of Informer Resolution (PIDPI)".

2. As per policy, a complainant is required to confirm that he/she has actually sent the said complaint to the Ministry/Department. You are, therefore, requested to confirm within 30 days of receipt of this letter, that you have sent the above-mentioned complaint.
3. You are also requested to furnish a certificate to the Ministry/Department as per format enclosed that you have not made similar/identical allegations of corruption/misuse of office to any other authorities to qualify as a 'Whistle Blower' complainant.
4. The reply may be addressed to the undersigned by name.

Yours faithfully.

Under Secretary

Encl: Certificate.

**CERTIFICATE**

**It is certified that I have not made similar/identical allegation of corruption/misuse of office to any other authorities to qualify as a Whistle Blower complainant.**

**Signature .....**

**Name of the Complainant .....**

**Address .....**

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सत्यमेव जयते



केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi-110023

सं./No.....004/VGL/026/396510

दिनांक / Dated 28.09.2018.....

Circular No.12/09/18

**Subject: Government of India Resolution on Public Interest Disclosure & Protection of Informers' - reg.**

Please refer to the Commission's Office Order No. 4/2/09 dated 27<sup>th</sup> February 2009 on the above subject wherein the CVOs of the Ministries /Departments/ Organizations were required to submit their investigation report on complaints/disclosures forwarded by the Commission under PIDPI Resolution within a period of one month.

2. Central Vigilance Commission as the Designated Agency has reviewed the time limit regarding submission of investigation reports on PIDPI complaints and taking in view the inputs received from various quarters, has now decided to extend the time limit for submission of reports. Henceforth, CVOs of all organizations would submit their reports within a period of **12 weeks** from the receipt of reference seeking reports on PIDPI complaint/disclosure from the Commission.

3. The Chief Vigilance Officers of the Administrative Ministries /Departments of the Government of India who have been authorized as the 'Designated Authority' to receive written complaint or disclosure under PIDPI vide DoPT's amendment resolution No.190 dated 29.08.2013 may also take note of the revised time limit period for submission of report by the organizations in written complaints/disclosures received by the Designated Authorities concerned in the Ministry/Departments which is 12 weeks from receipt of reference of PIDPI complaint/disclosure from the concerned Designated Authority.

4. All CVOs may adhere to the Commission's above revised time limit for strict compliance.

(J.Vinod Kumar)  
Director

To

All CVOs of Ministries/Depts/CPSEs/PSBs/FIs/PSICs/Autonomous Organizations .  
NIC to upload on the CVC's website

Telegraphic Address :  
"SATARKTA: New Delhi

E-Mail Address  
cenvigil@nic.in

Website  
www.cvc.nic.in

EPABX  
24600200

फैक्स / Fax : 24651186



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi-110023

सं./No. CONI/MISC/19/02/412853

दिनांक / Dated 11.03.2019

Circular No. 02/03/2019

**Subject:-** Applicability of provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, 2004 and adoption of Whistle Blower Mechanism in the Public Sector Banks.

As per Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 the Central Vigilance Commission has been named "as the **Designated Agency**, to receive 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 controlled by the Central Government".

2. Subsequently, vide Department of Personnel and Training's Resolution dated 14.08.2013, the Chief Vigilance Officers of the Ministries or Departments of the Government of India were also authorised 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 and falling under the jurisdiction of that Ministry or the Department.

3. From the provisions of the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 and its amendment dated 14.08.2013, it is clear that:-

- (i) The Central Vigilance Commission is the only "**Designated Agency**" to receive complaints from Whistle Blowers under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and to supervise and monitor the progress of investigation into such complaints.
- (ii) The Chief Vigilance Officers of the Ministries or Departments of the Government of India are declared as the "**Designated Authority**" to receive complaints against employees of that Ministry or Department or organization falling under the jurisdiction of that Ministry or the Department.

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68

- (iii) The Chief Vigilance Officer or any other authority of any Public Sector Bank has **not** been declared as the "Designated Authority" to receive complaints, under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution.

4. However, it has been observed that Public Sector Banks have, suo-moto, adopted the Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution dated 21.04.2004 & its amendment dated 14.08.2013 and have suo-moto declared the CVOs of the respective banks as the "**Designated Authority**" to receive complaints under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution. Such action by the banks is a violation of the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, which does not envisage direct handling of PIDPI complaints by banks etc.

5. As far as the Whistle Blower Mechanism in Public Sector Banks is concerned, it is observed that the banks are governed by the provisions of Section 177 of the Companies Act, 2013; guidelines dated 17.04.2014 issued by Securities and Exchange Board of India (SEBI) regarding Clause 49 of Listing Agreement between the listed entity and the Stock Exchange; and guidelines/directions dated 01.07.2016 issued by Reserve Bank of India under Section 35 (A) of Banking Regulation Act etc.; as the case may be, which specifically provide for a "**Whistle Blower Mechanism**" for the **employees of the organizations**, to report allegations of corruption or misuse of office by the authorities of that organization.

6. From the Acts/guidelines, as quoted above, it is observed that:-

- (i) Public Sector Banks etc. need to have an internal Whistle Blower Mechanism, through which the Directors and employees of the organizations can report about the unethical practices/irregularities/fraud etc.
- (ii) This internal Whistle Blower Mechanism is available only to the employees of the organization and not to the general public.
- (iii) Under the provisions of Companies Act and SEBI's guidelines, the Whistle Blower Complaints are to be made to the Audit Committee, which includes direct access to the Chairman of the Audit Committee by the Whistle Blower.
- (iv) Under the provisions of RBI's directions, the Whistle Blowers Complaints are to be scrutinized by the Fraud Monitoring Group (FMG) of the bank concerned.
- (v) The Chief Vigilance Officers of the organizations concerned is not authorized to receive complaints directly from the Whistle Blowers (employees of the organizations), as per the provisions contained in the Companies Act, 2013 and RBI directions dated 01.07.2016 mentioned above.

7. In view of the above, the Commission directs that:-

- (i) The management of Public Sector Banks should not quote/mention the provisions of PIDPI Resolution dated 21.04.2004 and its amendment dated 14.08.2013, in its Whistle Blower Policy.

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69

- (ii) The CVO of the respective bank or any other authority of the bank should not be declared as the Designated Authority to receive complaints under the provisions of PIDPI Resolution.
  - (iii) The management of Public Sector Banks should adopt a Whistle Blower Mechanism, which must be in accordance with the provisions of Companies Act/RBI guidelines and SEBI guidelines, as may be applicable to them.
8. Public Sector Banks, who have suo-moto adopted the Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution, should, immediately modify the guidelines issued by them regarding Whistle Blower Mechanism in their respective organizations accordingly.
9. The Central Vigilance Commission may be intimated about the modified guidelines and a copy of the same may also be forwarded to it for its perusal.

(Rajiv Verma)  
Officer on Special Duty

To,

- (i) Chairman/MD & CEO of All Public Sector Banks.
- (ii) CVOs of All Public Sector Banks
- (iii) CVO, Department of Financial Services, to ensure that in the Whistle Blower Policy of the Public Sector Banks, there is no mention of the Department of Personnel and Training's Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution and the banks' Whistle Blower Mechanism should adhere to the specific guidelines issued by the agencies concerned.

C.V.C.  
Received on: ..... 15 MAR 2019  
Time: .....  
.....

Department of Financial Services(Banking Division),  
(Shri Ravi Mital, Additional Secretary & Chief Vigilance Officer),  
Jeevandeep Building,  
Parliament Street,  
New Delhi- 110001.

FD

O/c Me

C. V. C.

Received on : .....

Time : .....

15 MAR 2019





ALLAHABAD BANK,  
(SH. ARUN KUMAR VERMA, CVO),  
2, NETAJI SUBHAS ROAD,  
KOLKATA-700001.

71

ANHRA BANK,  
(SH. ARVIND A, CVO),  
HEAD OFFICE,  
DR. PATTABHI BHAVAN SAIFABAD,  
HYDERABAD-500004

BANK OF BARODA,  
(SH. K N NAYAK, CVO),  
BARODA CORPORATE CENTRE,  
C-26, G-BLOCK, BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI-400051.

BANK OF INDIA,  
(SHRI DEVENDRA SHARMA, CVO),  
STAR HOUSE, 1<sup>ST</sup> FLOOR,  
C-5, G-BLOCK, BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI-400051.

BANK OF MAHARASHTRA,  
(SHRI LAXMINARAYAN RATH, CVO),  
CENTRAL OFFICE, "LOKMANGAL", 1501,  
SHIVAJINAGAR,  
PUNE-411 005.

CANARA BANK,  
SHRI B UMA SANKAR, CVO),  
VIGILANCE WING, III FLOOR,  
HEAD OFFICE. NO. 112, J C ROAD,  
BANGALORE - 560002.

e.v.c.  
Received on: 15 MAR 2019  
Time: A

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72

CORPORATION BANK,  
(SH. CHI PRABHAKARA RAO, CVO),  
P.B NO. 88, HEAD OFFICE MANGALADEVI TEMPLE ROAD,  
PANDESIWAR, MANGALURU-575001. ✓

CENTRAL BANK OF INDIA,  
(SH. C.V. VENKATESH, CVO),  
CENTRAL OFFICE, CHANDER MUKHI, ✓  
NARIMAN POINT,  
MUMBAI-400021

DENA BANK,  
(SH. PARSHURAM PANDA, CVO),  
DENA CORPORATE CENTRE,  
SECTT. C-10, G-BLOCK, 6TH FLOOR, ✓  
BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI-400051.

EXIM BANK OF INDIA,  
(SH. USHA RAVI, CVO),  
MAKER CHAMBERS IV, ✓  
FLOOR 8, 222, NARIMAN POINT,  
MUMBAI-400021.

INDIAN BANK,  
(SHRI SUDHAKAR R IYER, CVO),  
CORPORATE OFFICE, ✓  
254-260, AVVAI SHANMUGAM SALAIA,  
ROYAPETTAH,  
CHENNAI-600014.

INDIAN OVERSEAS BANK,  
(SH. K. VENKATACHALAPATHY, CVO), ✓  
CENTRAL OFFICE, P.O-3765,763  
ANNA SALAI,  
CHENNAI-600 002.

73

IDBI BANK,  
(SMT. USHA RAVI, CVO),  
IDBI TOWER, WTC COMPLEX,  
CUFF PARADE,  
MUMBAI-400005. ✓

NATIONAL HOUSING BANK,  
(SH. M V S N MURTHY, CVO),  
INDIA HABITAT CENTRE  
CORE-5A, LODHI ROAD,  
NEW DELHI-110003. ✓

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT, ✓  
(SMT. S SRIMATHY, CVO),  
PLOT NO. C-24,G-BLOCK,  
PB 8121, BANDRA KURLA COMPLEX,  
BANDRA, MUMBAI - 400 051.

ORIENTAL BANK OF COMMERCE,  
(SH. ATUL SINHA, CVO),  
PLOT NO. 5, INSTITUTIONAL AREA, ✓  
SECTOR-32,  
GURGAON-122001.

PUNJAB NATIONAL BANK,  
(SH. SATISH KUMAR NAGPAL, CVO),  
HEAD OFFICE, 7, BIIKAJI CAMA PLACE, ✓  
NEW DELHI-110066.

PUNJAB & SIND BANK,  
(SHRI SANJAY JAIN, CVO),  
HO VIGILANCE DEPARTMENT, ✓  
BANK HOUSE 21, 4<sup>TH</sup> FLOOR,  
RAJENDRA PLACE,  
NEW DELHI-110008.

74

STATE BANK OF INDIA,  
(SMT. S. SRIMATHY, CVO),  
CORPORATE CENTER, STATE BANK BHAVAN,  
VIGILANCE DEPARTMENT, 8<sup>TH</sup> FLOOR,  
MADAME CAMA ROAD,  
MUMBAI-400021. ✓

SYNDICATE BANK,  
(SHRI PRABHAKAR RAO, CVO),  
CORPORATE OFFICE, 2<sup>ND</sup> CROSS, ✓  
GANDHINAGAR,  
BANGALORE-560009.

VIJAYA BANK,  
(SH UMESH KUMAR SINGH, CVO),  
41/2, M.G. ROAD, ✓  
TRINITY CIRCLE,  
BANGALORE-560001.

UNITED BANK OF INDIA,  
(SH. ARUN KUMAR VERMA, CVO), ✓  
HEAD OFFICE, 16,  
HEMANTA BASU SARANI,  
KOLKATA-700001.

UNION BANK OF INDIA,  
(SH. M V S N MURTHY, CVO),  
UNION BANK BHAVAN, ✓  
239, VIDHAN BHAVAN MARG,  
NARIMAN POINT, MUMBAI-400021

UCO BANK,  
(SH. PRADEEP KUMAR, CVO), ✓  
HO, 10, BTM SARANI,  
KOLKATA-700001.

ALLAHABAD BANK,  
(SHRI RAJNISH KUMAR, CHAIRMAN)  
2, NETAJI SUBHAS ROAD,  
KOLKATA-700001.

75

ANDHRA BANK,  
(SHRI J PACKIRISAMY, MD & CVO)  
HEAD OFFICE,  
DR. PATTABHI BHAVAN SAIFABAD,  
HYDERABAD-500004

BANK OF BARODA,  
(SHRI P. S. JAYAKUMAR, MD & CEO)  
BARODA CORPORATE CENTRE,  
C-26, G-BLOCK, BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI-400051.

BANK OF INDIA,  
(SHRI DINA BANDHU MOHAPATRA, MD & CEO),  
STAR HOUSE,  
C-5, G-BLOCK, BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI-400051.

BANK OF MAHARASHTRA,  
(SHRI A S RAJEEV, MD & CEO),  
CENTRAL OFFICE, "LOKMANGAL", 1501,  
SHIVAJINAGAR,  
PUNE-411 005.

CANARA BANK,  
(SHRI T. N. MANOHARAN, CHAIRMAN),  
VIGILANCE WING,  
HEAD OFFICE, NO. 112, J C ROAD,  
BANGALORE - 560002.

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**C.V.C.**  
Received on: .....  
Time: ..... 15 MAR 2019  
.....

76

CORPORATION BANK,  
(SHRI P V BHARATHI, MD & CEO),  
P.B NO. 88, HEAD OFFICE MANGALADEVI TEMPLE ROAD,  
PANDESHWAR, MANGALURU-575001.

CENTRAL BANK OF INDIA,  
(SHRI PALLAV MOHAPATRA, MD & CEO)  
CENTRAL OFFICE, CHANDER MUKHI,  
NARIMAN POINT,  
MUMBAI-400021

DENA BANK,  
(SHRI KARNAM SEKAR, MD & CEO),  
DENA CORPORATE CENTRE,  
SECTT. C-10, G-BLOCK,  
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BANDRA (EAST), MUMBAI-400051.

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ROYAPETTAH,  
CHENNAI-600014.

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CHENNAI-600 002.

77

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CUFF PARADE,  
MUMBAI-400005.

NATIONAL HOUSING BANK,  
(MD & CEO),  
INDIA HABITAT CENTRE  
CORE-5A, LODHI ROAD,  
NEW DELHI-110003.

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT,  
(MD & CEO),  
PLOT NO. C-24,G-BLOCK,  
PB 8121, BANDRA KURLA COMPLEX,  
BANDRA, MUMBAI - 400 051.

ORIENTAL BANK OF COMMERCE,  
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SECTOR-32,  
GURGAON-122001.

PUNJAB NATIONAL BANK,  
(SHRI SUNIL MEHTA, MD & CEO),  
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NEW DELHI-110066.

PUNJAB & SIND BANK,  
(SHRI S. HARI SHANKER, MD & CEO),  
HO VIGILANCE DEPARTMENT,  
BANK HOUSE 21,  
RAJENDRA PLACE,  
NEW DELHI-110008.

78

STATE BANK OF INDIA,  
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CORPORATE CENTER, STATE BANK BHAVAN,  
VIGILANCE DEPARTMENT,  
MADAME CAMA ROAD,  
MUMBAI-400021.

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GANDHINAGAR,  
BANGALORE-560009.

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TRINITY CIRCLE,  
BANGLAORE-560001.

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HEAD OFFICE, 16,  
HEMANTA BASU SARANI,  
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UNION BANK OF INDIA,  
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239, VIDHAN BHAVAN MARG,  
NARIMAN POINT, MUMBAI-400021

UCO BANK,  
(SHRI ATUL KUMAR GOEL, MD & CEO),  
HO, 10, BTM SARANI,  
KOLKATA-700001.



# CENTRAL VIGILANCE COMMISSION

## PUBLIC NOTICE

### **Sub: Processing of PIDPI complaints by the Screening Committee of the Commission - Reg.**

As per the provisions of “Public Interest Disclosure and Protection of Informers Resolution” dated 21.04.2004, Government of India has declared the Central Vigilance Commission as the ‘Designated Agency’ to receive written complaints from Whistle Blowers for disclosure on any allegations of corruption or misuse of office and recommend appropriate action.

2. As per the provisions contained in Para 4(ii) of the PIDPI Resolution dated 21.04.2004, the Central Vigilance Commission has the responsibility of maintaining confidentiality about the identity of the complainant. Para 4(ii) of the PIDPI Resolution states that “*The identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other office or authority*”. Thus, it is clear that **the complainant has also to ensure that he should not disclose his identity to any other office or authority.**

3. While processing the complaints received under the “Public Interest Disclosure and Protection of Informers Resolution”, it has been observed that there are certain categories of complaints where it is not possible to maintain confidentiality about the identity of the complainants and “No Objection Certificate” is obtained from them before processing their complaints. On receipt of the No Objection Certificate, the complaints are processed and placed before the Screening Committee for consideration. Such complaints are considered as **Non Public Interest Disclosure and Protection of Informers (Non PIDPI) Complaints**, but before processing such complaints, the identity of the complainant is masked, thus taking adequate safeguard in an attempt to maintain confidentiality about the complainant’s identity. Some categories of complaints, which one similarly dealt with are as under :-

- (i) The complaint has been received in an open condition.
- (ii) The complaint has been addressed/endorsed to several authorities.
- (iii) The issues raised in the complaint had earlier been taken up with other authorities.
- (iv) The information has been sought / obtained under the provisions of RTI Act, by the complainant himself.

- (v) The complainant had earlier taken up the issue with this Commission in the form of an ordinary complaint, under the Commission's Complaint Handling Policy.
- (vi) The complainant makes a complaint through email or seeks status/information regarding his earlier PIDPI Complaint by sending an email, thus making his identity public, which is violation of the guidelines issued by the Commission for making complaints under the provisions of PIDPI Resolution.
- (vii) The complaint has been addressed/endorsed to many authorities of the Central Vigilance Commission, thus, disclosing his identity.

**4. Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi.**

**Dated: 24/04/2019**

No. 31-01/2021-PO  
Government of India  
Ministry of Communications  
Department of Posts  
(PO Division)

Dak Bhawan, Sansad Marg  
New Delhi -110 001

Dated: 3<sup>rd</sup> March, 2021

To,

All Heads of Circles

**Subject: Issuance of instructions for non-disclosure of the identity of the complainant under "Public Interest Disclosure and Protection of Informer"**

This is regarding issuance of instructions for non-disclosure of the identity of the complainant at the time of posting of articles containing material of "Public Interest Disclosure and protection of informer" (PIDPI) compliant.

2. The Central Vigilance Commission has requested that the name and address of the sender should not be insisted on the letters that are marked as "PIDPI" or "Public Interest Disclosure and Protection of Informer" in order to address the issue of non-disclosure of name & address of the sender/ complainant while posting/ submitting the PIDPI complaints through posting of article in post office.

3. The competent authority has accepted the recommendation of the CVC and the following has been decided regarding acceptance of envelopes super scribed as "PIDPI" Or "Public Interest Disclosure and Protection of Informer" addressed to the CVC as well as CVOs.

"Any article, addressed to the CVC as well as CVOs, posted with the superscription "Complaint under The Public Interest Disclosure" or "PIDPI Complaint" on the outside of the envelope of the article, can be accepted for posting registration and speed post service, without the name and complete address including mobile number & email address of the sender."

**Note 1:** These instructions will compulsorily be followed in all the post offices viz. CSI Post Offices & Non-CSI Post Offices (Meghdoot Millennium Software).

**Note 2:** All the Postmasters, Assistant Postmasters/supervisors and Postal Assistants and Branch Postmasters and Assistant branch Postmasters will scrupulously follow these instructions.

**Note 3:** Counter PAs/BPMs/ABPMs should also be instructed not to insist for name and address of the sender on booking such articles the superscription "Complaint under The Public Interest Disclosure" or "PIDPI Complaint".

4. In the software, "PIDPI" will be entered against the Name & Address fields of the sender, at the time of booking of such Speed Post/Registered Articles.
5. It is requested to kindly circulate this order to all concerned for information, guidance and necessary action.
6. This issues with approval of the Competent Authority.

*Adnan Ahmed*

(Adnan Ahmed)

DDG (Postal Operations)

e-Mail: [ddgpo.dte@indiapost.gov.in](mailto:ddgpo.dte@indiapost.gov.in)

Tel. No.- 011-23096179

**Copy to:-**

1. Sr. PPS to Secretary (Posts)
2. PS to Director General Postal Services.
3. PPS/ PS to Addl. DG (co-ordination)/Member (Banking)/ Member (O)/ Member (P)/ Member (Planning & HRD)/ Member (PLI)/ Member (Tech)/ AS& FA
4. Addl. Director General, APS, New Delhi
5. Chief General Manager, BD Directorate / Parcel Directorate / PLI Directorate
6. Sr. Deputy Director General (Vigilance) &CVO)
7. Director, RAKNPA / CGM. CEPT / Directors of all PTC's
8. Secretary, Postal Services Board/ All Deputy Directors General
9. Chief Engineer (Civil). Postal Directorate
10. All Sections of Postal Directorate
11. All recognized Federations / Unions/ Associations
12. CGM, CEPT for uploading the order on the India post website.
13. Guard File
14. Spare copy  
15. Director (Vigilance)

# CENTRAL VIGILANCE COMMISSION

\*\*\*\*\*

File No. Conf/Misc/21/01

Dated : 30/07/2021

## Public Notice

**Sub: Processing of PIDPI Complaints by the Screening Committee of the Commission- Reg.**

**Ref.: Public Notice dated 24.04.2019 regarding - Processing of PIDPI Complaints by the Screening Committee of the Commission.**

In supersession of the PUBLIC NOTICE notified by the Commission on 24.04.2019, the following procedure on the above subject is now being prescribed by the Commission:

2. The procedure as mentioned in Para-3 in the PUBLIC NOTICE dated 24.04.2019 has been reviewed by the Commission. It has been observed that the practice of obtaining NOC from the Whistle Blower/complainant is not in line with the main objective of Public Interest Disclosure and Protection of Informers Resolution 2004. Therefore, it has been decided to discontinue the practice of obtaining NOC from the Whistle Blower/complainant.
3. When a complaint is put up to the Screening Committee, if it is found that there are certain shortcomings due to which it does not **fulfil the eligibility criteria**, it will be returned to the complainant, clearly enumerating the reasons for not fulfilling the eligibility criteria. The complaint will then be closed in the Commission.
4. Thereafter, the complainant has the option of either sending a fresh regular complaint to the Central Vigilance Commission under its Complaint Handling Policy or may again lodge a fresh complaint if desired under PIDPI Resolution after removal of the deficiencies.
5. The complaints/disclosures already categorised as Non-Public Interest Disclosure and Protection of Informers (Non-PIDPI) complaints/cases where No Objection Certificate was received from the complainant before issuance of this Public Notice will continue to be processed as such as per our previous guidelines/Public Notice dated 24.04.2019.
6. All complaints received in the CVC on or after **16.08.2021** shall be governed by these guidelines.
7. Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi.

**VIG-01/1/2021-vigilance-DOP**  
Government of India  
Ministry of Communications  
Department of Posts  
\*\*\*\*\*

Dak Bhawan, Sansad Marg  
New Delhi – 110001  
Dated: 26.11.2021

To,  
All the Heads of Circles

**Subject: Non-disclosure of the identity of the sender under PIDPI.**

Sir/ Madam,

I am directed to refer to the CVC D.O. letter No. Conf/Misc/21/02 dated 17.11.2021 and PO Division office letter No. 31-01/2021-PO dated 03.03.2021 and 03.11.2021 (copies enclosed) whereby instructions regarding acceptance of the envelopes addressed to CVC and marked as 'PIDPI' or 'Public Interest Disclosure and Protection of Informer' without insisting on the name and address of the sender were issued to all the Heads of Circles.

2. It has been observed that the aforesaid instructions have not percolated down to all those who are involved in the booking of Registered/ Speed Post articles. In this regard, concerns have been raised by the Central Vigilance Commission citing the gap in the implementation of the aforesaid instructions.

3. It is, therefore, reiterated that all the employees may be sensitized not to insist on the name and address of the sender and accept the envelopes marked as 'PIDPI' or 'Public Interest Disclosure and Protection of Informer' addressed to the CVC by entering 'PIDPI' in the name and address fields of Registered /Speed Post articles. It is also requested to display the poster (copy enclosed) at prominent places in Post Offices under your jurisdiction. It is suggested that in the BOs and smaller offices, the posters should be printed on A-4 size paper and displayed on the notice boards. It is also requested to give wide publicity to these instructions duly translated in local/ regional languages through the use of Circle websites and other social media platforms. PTCs may also be instructed to include these in the different training modules.

4. The matter may be accorded 'Top Priority'.

This issues with the approval of DG(PS).

Encl.: As above.

Yours faithfully,

  
(Jagdeep Gupta) (u) 226  
Director (Vigilance)

Copy to -

1. All Directors, PTCs for inclusion in appropriate training modules.
2. DDG(PO) for information.
3. Secretary, CVC for information.



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## CENTRAL VIGILANCE COMMISSION

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File No. Conf/Misc/21/01

dated: 04/02/2022

### Public Notice

**Sub: Regarding closure of complaints which does not qualify prima-facie as PIDPI complaints without submission to Screening Committee - Reg.**

**Ref.: Public Notice vide File No. Conf/Misc/21/01 Dated: 30/07/2021 Regarding processing of PIDPI Complaints by the Screening Committee of the Commission.**

It is observed that a large number of complaints received under “Public Interest Disclosure and Protection of Informers (PIDPI) Resolution” do not fulfil the eligibility criteria to be dealt under PIDPI Resolution, as keeping the identity of the complainant a secret is not possible due to some deficiency or the other. In this regard, necessary guidelines have already been issued and uploaded on the CVC website, despite this such complaints are still received in a large number.

2. The current practice being followed in the Commission for such complaints is as per Public Notice issued on 30.07.2021 and as per process, the complainant is asked to give confirmation regarding a complaint and then the complaint is filed due to some deficiency, which is leading to delay in meaningful processing of complaints.

3. The complaints which at first glance clearly do not fulfil eligibility criteria for some reasons are such as:

- a. Matter already addressed to other authorities,
- b. Enclosed documents received under RTI Act which will reveal his identity,
- c. Complaints received in open condition or vide email/online portal,
- d. Complaints personally related to the complainant.

4. It has been decided that at the onset itself, at the level of Confidential Section, the matter may be returned to the complainant, explaining that the matter cannot be treated as a PIDPI complaint, clearly enumerating the reasons.

5. The complainant has the avenue of resubmitting the complaint, if he so desires, either under the Complaint Handling Policy as general complaint or after removing the deficiencies as a PIDPI complaint under the provisions of “Public Interest Disclosure and Protection of Informers (PIDPI) Resolution”.

6. Issued in Public Interest by the Central Vigilance Commission, INA, Satarkta Bhawan, New Delhi