

## कोल इण्डिया लिमिटेड

(भारत सरकार का उपक्रम)

सतर्कता विभाग

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## Coal India Limited

(A Govt. of India Enterprise)

VIGILANCE DIVISION

15, PARK STREET (6<sup>TH</sup> FLOOR)

KOLKATA-700 016 (WB)

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संदर्भ संख्या / Ref. No. CIL:VIG: SECY:MK-3:CONF: 817

तिथि / Date: 07.10.2013

To  
The Secretary  
Govt. of India  
Ministry of Coal  
Shastri Bhawan  
New Delhi 110 001.

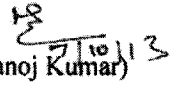
The Secretary  
Central Vigilance Commission  
Satarkata Bhawan, G.P.O. Complex  
Block-A, INA  
New Delhi 110 023.

*Sub: Complaint Handling Policy in CIL.*

Sir,

Please find enclosed herewith the Complaint Handling Policy in Coal India Limited for your information.

Yours faithfully

  
(Manoj Kumar)  
Chief Vigilance Officer

Encl: As stated above.

Copy to:

- All FDs of CIL
- All CMDs of CIL Subsidiaries
- All CVOs of CIL Subsidiaries
- All HODs of CIL-HQ
- GM(Vig), CIL for record.

**Coal India Limited**  
**Vigilance Division, Kolkata**

Ref. No. CIL:VIG: SECY: MK-3:CONF:817

Date: 07.10.2013

**Complaint Handling Policy in CIL.**

CVC vide its circular No.15/7/09 dated 1<sup>st</sup> July 2009 has desired that a "Complaint Handling Policy" is laid down in all organizations / departments for receipt, handling and processing of all types of complaints / grievances from the public contractors, vendors, suppliers etc.

**(A) Receipt and handling of complaints in different divisions / locations**

- (a) The CVC has directed that any complaint received in the organization / department by a functionary containing any element of alleged corruption, mal-practice or misconduct etc. should necessarily be sent to the CVO of the organization for scrutiny and action. Accordingly, it should be ensured that complaints having vigilance overtones are forwarded to Vigilance Division expeditiously. Vigilance angle has been defined in Office Order of CVC vide No. 23/04/04 dated 13.04.2004 read with 74/12/05 dated 21.12.2005.
- (b) As the various departments / institutions under CIL are also responsible to maintain atmosphere of probity, transparency and fairness in their functional domain, the complaint receiving authority should attend to the issues of misuse, mal-governance etc even while forwarding the complaint to the vigilance department. System improvement measures should also be taken to address the areas vulnerable to corruption and misuse.

**(B) Complaint Handling in Vigilance Division**

- (a) Handling of complaints shall be regulated by instructions / guidelines issued by CVC from time to time as well as the provisions of CVC Manual. For complaints received under whistle blower policy of CVC/CIL, it will be ensured that identity of complainant is not disclosed and he is protected from any harassment.
- (b) As a general rule, the anonymous / pseudonymous complaints will not be entertained. However, if it apparently contains verifiable facts, Vigilance Division may take up the matter for preliminary fact finding enquiry. Only after concurrence of CVC, detailed investigation can be taken up.

- (c) If complaint has been forwarded by CVC for investigation and report, the Vigilance Division shall treat it as a signed complaint/ source information and duly investigated though on the face of it the complaint may be anonymous/ pseudonymous.
- (d) Information gathered from reports, returns, news-papers etc., are included under the term "complaint" and will be dealt with in the same way as other complaints. Information received verbally will be reduced to writing and dealt with similarly. Receipt of information about corruption, malpractice or misconduct, from whatever source, would be treated as complaint.
- (e) Only complaints having vigilance angle shall be investigated by the Vigilance Department. Complaints which are devoid of any vigilance angle will be either filed or forwarded to the concerned department for necessary action. Redressal of individual grievance, not having any vigilance angle, is not the focus of Vigilance Administration and same is to be dealt by individual departments/authorities.
- (f) A complaint may be marked to many authorities by complainant; hence only complaints addressed to Vigilance Office of CIL will be taken up for investigation by CIL Vigilance office in order to avoid parallel investigation. However, if copy of the complaint marked to CIL Vigilance Office discloses any serious matter, the investigation will be supervised or undertaken by CIL Vigilance office.
- (g) Once a complaint has been registered as a vigilance case, it will be taken to logical conclusion after proper investigation. The investigation will be completed within the prescribed time limit of 3 months (one month for PIDPI complaint).
- (h) The complaints received from CVC, MOC or CBI for necessary action will be taken up for preliminary fact finding. The detailed investigation will be taken up after prime facie establishment of material facts and vigilance angle.
- (i) As regards complaints against tenders, while the Vigilance Division will investigate the matter, it would not interfere in the tendering process as such. The objective is not to stop the work in the organisation. However, the allegations should be brought to the notice of the competent authority, including the purchase committee, tender committee, negotiation committee etc. Opinion of IEM on any matter during tender process will be given due consideration.
- (j) After investigation if any complaint is found to be false, malicious, vexatious and personal vendetta, action may be taken under company's rules/ any other law of the land in terms of

Para 8 of Chapter III of Vigilance Manual Vol.I. Habitual complainants making false complaints should be dealt with sternly.

- (k) In cases where it is felt that investigation by Central Bureau of Investigation/ State Police is necessary in terms of circumstances enumerated in Vigilance Manual Para 1.2 Chapter-III, the CVO will take decision with approval of the CMD.
- (l) The PIDPI/ Complaint against retiring employees/ Complaints against employees whose promotion/selection is due will be accorded priority.
- (m) CVC has laid down in circular no. 25/7/06 dated 6.6.03 that whenever complaint against any Board level official is referred to the CVO of the organization under the Ministry, he should gather all factual information and submit the same to the Ministry's CVO. He is not required to make analysis and draw conclusions.
- (n) As per CVC direction contained in circular No.57/8/04 dated 31.08.2004, to avoid unnecessary harassment to the officials against whom frivolous complaints are received at the time of their promotion/selection, the guidelines are that:
  - (a) As a rule, complaints/cases which are more than 5 years old and no action has been taken till then, should not be investigated. However, the limit of 5 years will not apply to cases of fraud and other criminal offences; and
  - (b) No cognizance should be taken of any complaint which is received 6 months prior to the initiation of selection process for senior posts.

(C) Modality of complaint handling

- (a) The complaints can be filed by any mode of communication including telephone, fax, e-mail, mobile, online through website etc. However, it is desirable that it should be followed by a paper signed complaint / digitally signed e-Mail or electronic document for proper record.
- (b) After receipt of the complaint, an acknowledgement will be sent within three days of receipt by suitable mode of communication.
- (c) The complaints will be entered in a complaint register with running serial no. for reference with details like name of complainant, source of complaint, date of receipt, Officer complained against, subject of complaint, mode of disposal etc. It is desirable that all Departments maintain similar register for complaints/grievances received at their end.

- (d) After establishment of vigilance angle, the case will be transferred to investigation register for in depth investigation.
- (e) During course of investigation, the complainant may be contacted for further details if deemed necessary except in PIDPI complaints.
- (f) If at any stage the complainant is desirous to know the status or result of the investigation, the same may be provided.

This policy takes immediate effect.

MS  
7/10/13

(Manoj Kumar)  
Chief Vigilance Officer,  
Coal India Limited

Distribution:

- Secretary, Ministry of Coal for information
- Secretary, CVC for information
- All FDs /CVO of CIL
- All CMDs/CVOs of CIL
- All HODs of CIL
- GM(Vig), CIL for record.