



COMPLAINT HANDLING POLICY

Office of the Development Commissioner
(Handicrafts)



Ministry of Textiles, Plot No. 8, Nelson Mandela Marg, Vasant Kunj, New Delhi- 110070

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1.0 INTRODUCTION: -

The Development Commissioner (Handicrafts) serves as the nodal agency within the Government of India responsible for overseeing craft and artisan-based activities. Through technical and financial support—including various schematic interventions administered by its field offices—it facilitates the development, marketing, and export of handicrafts while promoting diverse craft forms and skills. As the lead agency, the Development Commissioner directs national efforts to promote the handicrafts sector.

The Complaint Handling Policy is designed to provide guidance on the manner in which office of the Development Commissioner (Handicrafts) receives and handles complaints against its employees, Implementing Agency etc.

The objective of the Policy is to assist the Management and public in general handling of 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 trivial nature.

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. The disciplinary authority has the overall responsibility of looking into the misconducts alleged against or committed by the public servants within its control and to take appropriate punitive action.

2.0 JURISDICTION OF THE VIGILANCE DEPARTMENT: -

The Vigilance-Complaints can be lodged only against officials of office of the Development Commissioner (Handicrafts), and Implementing agency of various programmes etc. The Vigilance Department has no jurisdiction over private individuals and organization of the State Government.

3.0 DEFINITION OF COMPLAINT:-

A complaint is a communication or statement or piece of information containing details of corruption, malpractice or misconduct alleged to have been committed by a public servant.

4.0 DEFINITION OF VIGILANCE ANGLE: -

Vigilance Angle is obvious in the following acts:

- (i) Demanding and/or accepting gratification other than legal remuneration in respect

- of an official act or for using his 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 or for any other person any valuable thing or pecuniary by corrupt or illegal means or by abusing his position as a public servant.
 - (iv) Possession of assets disproportionate to his known source of income.
 - (v) Cases of misappropriation, forgery or cheating or other similar criminal offences.
 - (vi) There are, however, other irregularities where circumstances will have to be weighed carefully to take a view whether the 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 officer concerned.
 - (vii) Also, any undue / unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to presence of Vigilance Angle.

[Clause 1.4 of Chapter-I of CVC-Vigilance Manual 2021]

5.0 SOURCES OF COMPLAINTS:-

5.1 Complaints may be received by the Development Commissioner (Handicrafts) or Regional offices or field Handicrafts Service Centers, from the public, artisans, implementing agencies, officials of O/o DC (HC) or from *inter alia* the following sources:

1. Central Vigilance Commission (CVC)
2. The President's Secretariat and the Prime Minister's Office.
3. Intelligence gathered by agencies like CBI, ACB, Lokpal/Lokayukta etc.
4. Ministries and Departments of the Central or State Govt.
5. Any Administrative Authority under Office of the Development Commissioner (Handicrafts).
6. CBI and other police authorities.
7. Member of Parliament / Member of Legislative Assembly /VIPs /Individual and Non- Governmental organizations.
8. Proceedings of both Houses of Parliament.
9. Reports of CAG, Internal Audit Reports, Parliamentary committee.
10. Information appearing in the Media.
11. Scrutiny of transactions reported under the Civil Services (Conduct) Rules, or scrutiny of the annual property returns.
12. Complaints received from employees or public through e-mail/ other interactive systems viz., complaint filing facility on CVC, complaints filed

through CPGRAMS of Department of Administrative Reforms and Public Grievances etc.

13. Source information, if received verbally from an identifiable source, to be reduced in writing; and
14. Departmental inspection reports and stock verification surveys.

5.2 Information gathered from reports, returns, media, newspaper etc. will be included under the term "Complaint" and will be dealt with in the same way as letters of complaints.

5.3 Complaint in the form of information may also be received orally from any person, who does not want to give a complaint in writing. However, such information must be registered in writing and the source of information must be identifiable.

5.4 Information about corruption and malpractices on the part of employee may also be received from their subordinates or other public servant. While genuine complainants should be afforded protection against harassment or victimization, Severe departmental action or launching criminal prosecution should be taken if a complaint, after verification, is found to be false and malicious.

6.0 METHODOLOGY FOR LODGING OF COMPLAINT: -

6.1 Complaints can be lodged, giving specific facts/information containing details about offences alleged, by addressing the written communication/ letter to;
Development Commissioner (Handicrafts), Craft Complex, Plot Number 08, Nelson Mandela Marg, Vasant Kunj, New Delhi- 110070.

or

By sending an e-mail at the e-mail Id- dc-handicrafts@gov.in or vig.dch@handicrafts.gov.in with all relevant information about complainant.

6.2 **Lodging of complaints under PIDPI:** Complaint under "Public Interest Disclosure and Protection of Informer" Resolution, 2004 can be made only by post. The complaint should be in a closed/ secured envelope and enveloped should be addressed to Secretary/ Development Commissioner (Handicrafts) and should be superscribed, "Complaint under the Public Interest Disclosure". The complainant should give his/ her name and address in the beginning or end of complaint or in an attached letter. The text of the complaint should be carefully drafted so as not to give any details or clue as to the complainant's identity.

[Clause- 6.3 of CVC Comprehensive guideline on Complaint Handling Mechanism 021/VGL/051 dated 24.12.2021]

7.0 ENTRY/ REGISTRATION OF A COMPLAINT:-

7.1 Vigilance Section of HQ/ Regional offices will maintain, electronically and as hard copy, a Vigilance Complaints Register in Format CVO-1, in two separate parts for Category 'A' and Category 'B' employees {Annexure-1 to this Chapter}. Category 'A' includes those employees in whose case CVC's advice is required and the rest are included in category 'B'. If a complaint involves both categories of employees, it should be shown against Category 'A'.

7.2 Every complaint, irrespective of its source, will be entered in the CVO-1 Register chronologically as it is received or taken notice of. A complaint containing allegations against several officers may be treated as one complaint for the purpose of statistical returns.

7.3 Only those complaints should be entered in the register which contain an allegation of corruption or improper motive or if the alleged facts, prima facie, indicate an element or potentiality of vigilance angle. 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 not be entered in the register and should be dealt with separately as "Non- Vigilance Complaints".

8.0 VERIFICATION OF COMPLAINTS

After receipt, including complaints received through email, and registration, the genuineness of the complainant may be verified by any of the following methods.

1. Addressing the complainant, a letter through speed post/ Registered post/ authenticated electronic media, for owning/ disowning the complaint and for confirming the veracity of the contents of the complaint, together with the copy of his/ her identity proof. If no response is received from the complainant within 15 days of sending the complaint for confirmation, a reminder should be sent. If the response is still not received within 15 days of the reminder, the complaint should be filed as pseudonymous.
2. By deploying an authorized official to personally contact the complainant, in case the complainant is Shilp Guru/ National Awardee/ National Merit Certificate holder, and obtain a written confirmation to the effect that a complaint has been made by him/ her. This personal contact shall be initiated only after receiving no response to the first correspondence sent to the complainant.
3. In a case the complaint is received electronically vide e-mail, the postal address should be obtained from the complainant should be asked to disclose his verifiable

details regarding name and address which should be subjected to verification as prescribed in sub-paras above.

4. In the case of complaints received from MPs/ MLAs etc. requests for verification of genuineness sometimes do not receive a response; in such an eventuality, the genuineness must be verified by deputing an authorized official to contact the MP/ MLA concerned.
5. However, verification of genuineness is not required to be done in following cases:
 - I. Complaint forwarded to Office of the Development Commissioner (Handicrafts) with a positive endorsement by, or on behalf of the Minister, asking for a report.
 - II. Complaints forwarded by the CVC for investigation or those received by it under PIDPI (Public Interest Disclosure and Protection of Informers Resolution).

9.0 SCRUTINY OF COMPLAINTS:-

9.1 Each complaint will be examined and if the allegations are found to be vague, general, prima facie unverifiable and where no action is necessary, the complaint should be dropped and filed, with the approval of the Development Commissioner (Handicrafts).

9.2 Where the complaint has information definite enough to require a further check, a preliminary enquiry /investigation will need to be made to verify the allegations so as to decide whether, or not, departmental action or prosecution or both are appropriate. The information passed on by the CBI to the Department regarding the conduct of any of its officers should also be treated in the same way.

10.0 ACTION ON COMPLAINTS:-

10.1 Any complaint that does not bear the name and address of the complainant is an anonymous complaint. A Complaint that does not bear the full particulars of the complainant or is unsigned or is not subsequently acknowledged by the complainant when sent for verification, are treated as pseudonymous complaints.

10.2 The following category of complaints will be closed without taking any further action on the same-

- i. Complaints which are anonymous or pseudonymous or contain vague, frivolous, non- specific allegations. The decision will be taken at the level of Head of Vigilance Section.
- ii. Complaints about sub judice matter

- iii. Complaints which are illegible
- iv. Complaints against private persons, state government officials, Private organization, which are not the Implementing agency of the department, Member of parliament or state legislature

10.3 Complaints having no vigilance angle but which relate to purely administrative matters or technical lapses, such as late attendance, disobedience, insubordination, negligence, drunken behaviour at work, lack of supervision or operational or technical irregularities etc., against all officials are required to be dealt with by the Administration Section.

10.4 If a complaint against a public servant is found to be malicious, vexatious or unfounded, it should be considered seriously and complainant can be prosecuted under Section 182 of IPC (217 of BNS) for making a false complaint.

(Para 3.12 of CVC Vigilance Manual 2021)

10.5 If the person making a false complaint is a public servant, it may be considered whether Departmental action should be taken against him as an alternative or in addition to prosecution.

[Clause 3.12 of Chapter-III of CVC-Vigilance Manual 2021]

11.0 INVESTIGATION OF COMPLAINTS

11.1 Vigilance Investigation /Preliminary Enquiry is conducted for ascertaining and verifying the facts alleged in a complaint. It generally involves collection of documents and other evidence, obtaining statement of witnesses, their verification and scrutiny to bring out the truth. Preliminary Enquiry will be conducted by the Regional Directors or by one of the officers/ a group of officers, as required, from the appointed panel for the PE. A panel will consist of 06 officers of Assistant Directors rank and above, with a tenure period of 02 years.

11.2 In case a complaint on preliminary scrutiny/ investigation is found to have allegations of offences covered under laws which the CBI is authorized to investigate such as bribery, corruption, forgery, cheating, criminal breach of trust, falsification of records, possession of assets disproportionate to known sources of income, cases requiring inquiries from non-official persons or examination of non- Government records, books of accounts, or other cases of a complicated nature requiring expert police investigation the case may be referred to CBI for detailed investigation. Reference of case for investigation to CBI has to be done after approval of Development Commissioner (Handicrafts). In such cases, if CBI wants a formal complaint to be lodged with them by the department, the vigilance section shall lodge the complaint with CBI.

11.3 Complaints referred for investigation by the Hon. Minister of Textiles/Minister

of State for Textiles, or CVC are to be investigated by the Regional Director rank and above. To prevent parallel investigations in such cases, it is essential to first ascertain whether a preliminary enquiry is already underway on the same matter. If an investigation is already in progress, the Development Commissioner (Handicrafts) will decide whether to allow the existing Preliminary enquiry or to form a continue the investigation or to form a new Enquiry officer/ committee. When a case is transferred, all records pertaining to the investigation will be handed over by the existing Enquiry Officer/ Committee to the new Enquiry officer/ Committee. In matters being investigated by CBI, consultation with the CBI will be undertaken to determine whether to pursue the matter further.

12.0 FORMAT OF INVESTIGATION / PRELIMINARY ENQUIRY REPORT

On completion of the investigation, a self-contained report should be prepared containing the explanation of the suspect officer, material to refute the defense wherever applicable along with final recommendations for action. The fact that an opportunity was given to the officer concerned should be mentioned in the enquiry report even if the officer did not avail of it or was non cooperative.

The report should be submitted in the format as prescribed by the CVC vide its *Circular No 21/08/09 dt. 06.08.2009*. The format of the report prescribed by CVC is as following:

- Source of the complaint
- Gist of the complaint
- Facts of the case
- Observations
- Response of the officials concerned
- Counter to the Response
- Conclusion
- Responsibility of officials
- Recommendation for action
- Recommendation for Systemic Improvement

The report shall also contain an assurance memo and bio-data of the officer(s) as per the format prescribed in the *CVC Circular No 21/08/09 dt.06.08.2009*.

13.0 SEXUAL HARASSMENT:-

Complaints involving allegations of sexual harassment are to be referred to Internal Complaints Committee setup as per Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The

procedure for investigation and subsequent disciplinary proceedings in such cases are to be carried out in terms of the said Act and Rules made thereunder. *DOPT's circular F. No. 11013/2/2014-Estt (A-III) dated 16.7.15* gives a step wise guide in this regard.

14.0 DISPOSAL OF COMPLAINTS:-

13.1 If no vigilance angle is involved, forward it to the administrative authority concerned for appropriate action.

13.2 The following actions may be taken on Investigation Report;

- I. File the compliant if the irregularities are not established.
- II. To recommend necessary action in case the irregularities are established. The necessary action could be initiation of
 - a) Disciplinary Proceedings against defaulting officials, and / or
 - b) Administrative Action i.e. Warning/Recordable Warning, Advisory Memo etc.

15.0 ACTION ON COMPLAINTS REFERRED BY CVC:-

CVC refers cases to CVOs under different categories. The action and time-limits for action against these categories are as follows:

- i. Where CVC refers a complaint for investigation and calls for **Inquiry Report (I&R cases)** the Head of Vigilance Section is required to furnish investigation reports on such complaints **within three months** from the date of receipt of references from the Commission or within such time as specified by the Commission. However, in respect of PIDPI complaints, the time limit for submission of report is **12 weeks**.
- ii. After receipt of the report, CVC may tender its advice or seek further information or clarification (**FI cases**) from the CVO. In such cases the clarification and / or comments, should be sent to the CVC within six weeks. Where it is not possible to complete the investigation and submit the report/clarification to CVC, the Head of Vigilance Section has to seek extension of time from CVC.
- iii. In case of complaints sent by CVC for **Necessary Action (NA cases)**, the Head of Vigilance Section is to scrutinize and decide action on such complaints within a period of one month. Such complaints must be referred back to the CVC for advice, if vigilance angle is noticed on investigation against an officer falling under the jurisdiction of CVC. If such a complaint is taken up for inquiry / investigation the same should be completed within three months. Otherwise, such complaints require

no further reference to the CVC and are to be disposed of by the Departments themselves after taking necessary action.

- iv. All the complaints made under **PIDPI Resolution** which have been forwarded to the CVO for necessary action must be referred back to the Commission, irrespective of Commission's normal jurisdiction, for advice if they have been investigated and the allegation of corruption or mis-use of office by an employee has come to notice. In all cases received under PIDPI resolution, Action Taken Report shall necessarily be sent to CVC.

16.0 WITHDRAWAL OF COMPLAINTS:-

Some complainants, after confirming the Vigilance's Complaint made by them, make a request for withdrawing the same or stopping the inquiry / investigation. It is to be noted that once a complainant confirms the Vigilance's Complaint and action has been initiated for inquiry/investigation, it is not permissible to withdraw / stop such enquiry / investigation even if the complainant withdraws his complaint. The allegations contained in the complaint have to be taken to its logical conclusion irrespective of complainant's request for withdrawal of the complaint.

[Clause 3.13 of Chapter-III of CVC-Vigilance Manual 2021]

17.0 MODEL TIMELINES FOR INVESTIGATION OF COMPLAINTS

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 even after reminder, complaint may be filed treating as pseudonymous complaints.)	15 days
3	Timeline for submission of Preliminary Enquiry Report	3 months
4	Timeline for submission of investigation report in PIDPI omplaints, referred by the Commission.	12 weeks
5	Timeline for submitting response by CVOs to the Commission in respect of references made by it to CBI/ Ministries for clarification/ comments in the matter of complaints.	6 weeks
6	Timeline for CVOs to scrutinize and decide about action to be taken on the complaints sent by the Commission for necessary action to the CVOs concerned.	1 month
7	Timeline for giving opinion by the Disciplinary Authority, about existence of vigilance angle in complaint, in case of difference of opinion with CVO	15 days

[Clause-7.3 of Chapter-VII of CVC- CHM circular no. 25/12/21 dtd 24.12.2021]

ANNEXURE-I

CVO-1

C.V.O. Register 1 of complaints to be maintained in separate columns for category A and Category B employees.

S.No	Source of complaint (See N.B.1)	Date of receipt	Name & Designation of officer(s) complained against	Reference to File No.	Action taken (See N.B.2)	Date of action	Remarks (See N.B.3)
1	2	3	4	5	6	7	8

N.B:

1. A Complaint includes all types of information containing allegations of misconduct against public servants, including petitions from aggrieved parties, information passed on to the CVO by CVC, and CBI, press reports, findings in inspection reports, audit paras, PAC reports, etc. In the case of petitions the name and address of the complainants should be mentioned in Col. 2 and 1 and in other cases, the sources as clarified above should be mentioned.
2. Action taken will be of the following types: (a) filed without enquiry (b) Filed after enquiry (c) Passed on to other sections as having no vigilance angle (c) Taken up for investigation by Departmental vigilance agency.
3. Remarks Column should mention (a) and (b).
 - (a) If there were previous cases / complaints against the same officer, the facts should be mentioned in the "Remarks" column.
 - (b) Date of charge-sheet issued, wherever necessary.
