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VIGILANCE VANI

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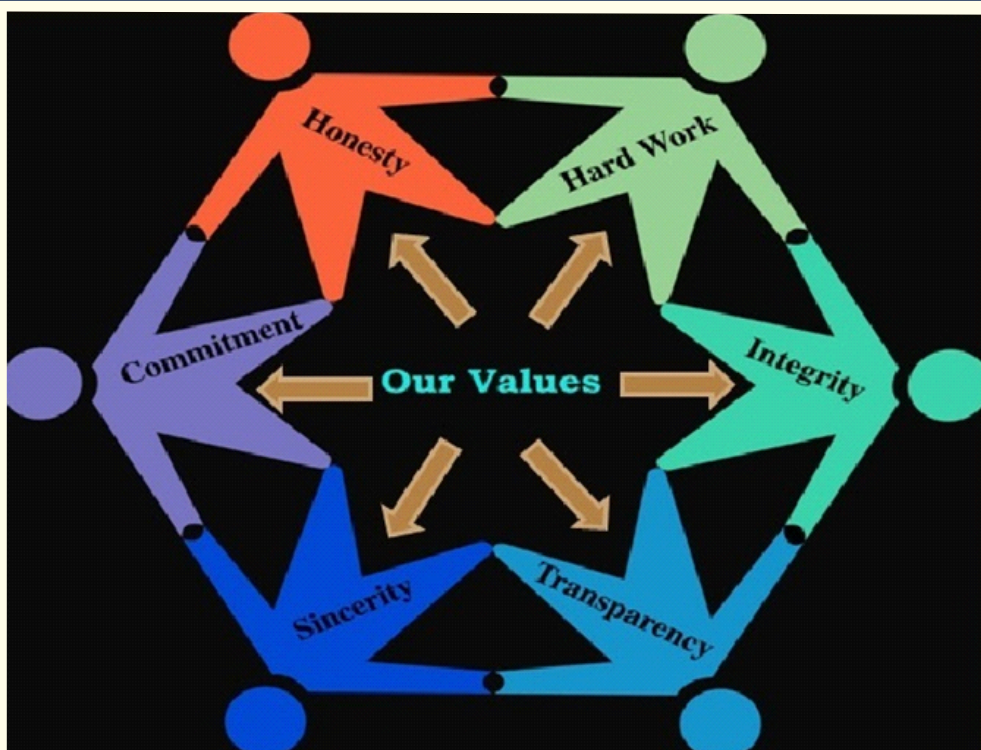
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Comprehensive guidelines on Complaint Handling Mechanism - Part 2

Complaint Handling Policy of Commission :

The Commission on receipt of a complaint against officials covered under its jurisdiction may inquire or cause an inquiry or investigation to be made into the same, wherein it is alleged that the official concerned has committed an offence under the Prevention of Corruption Act, 1988 (as modified in 2018) and an offence with which he may, under the Code of Criminal Procedure, 1973, be charged at the same trial. The salient features of the Complaint Handling Policy are given below:-

- Commission deals with complaints in the matters of corruption and irregular acts having vigilance angle. Redressal of grievances should not be the focus of complaints to the Commission.
- Anonymous or Pseudonymous complaints are not entertained.
- Complaints can be lodged either through written communication or through Commission's portal and Commission's website.
- No fee shall be chargeable for lodging complaints with the Commission.
- The procedure for dealing with complaints in the Commission has been defined under Regulation 3 of CVC (Procedure for Dealing with Complaints and Procedure of Inquiry) Regulations, 2021.
- A mechanism has been put in place through Public Interest Disclosure and Protection of Informer (PIDP) Resolution 2004, under which "Whistle-Blowers" can lodge complaints and their identity is not revealed to any source.

Action taken on Complaints received in the Commission :

On receipt of complaints in the Commission and after initial scrutiny of the contents, the Commission may take any of the following actions: -

- Get an investigation done through CBI or any other investigating agency into allegations levelled in the complaints. It may get the investigation done through the CVO of the organisation concerned or any other CVO or an officer of the Commission and call for investigation report (I&R); or
- Send the complaint for Factual Report (FR) or Discreet Verification and obtain report; or
- Send the complaint to the respective CVO for necessary action (NA); or
- File or close the complaint, without further action.
- In case a view is taken to call for investigation and report (I&R) on a complaint, the Commission seeks confirmation from the complainant for owning or disowning the complaint.
- The complainant is also required to provide a copy of his/her identity proof. A communication in this regard is sent to the complainant, and he/she is required to respond within 15 days of the receipt of the communication from the Commission. However, in case of non-receipt of response within 15 days from the complainant, a reminder is also sent to him/her, giving another opportunity. In case of no response after 15 days of reminder, the complaint would be filed treating it as a pseudonymous complaint.

Action on complaints where Investigation & Report (I & R) is sought by the Commission :

- Once the Commission decides that a complaint is required to be investigated and report is to be submitted to the Commission, a unique complaint number (case sensitive) is provided to the complainant for such complaints. The Complainant can use this complaint number to know the status of action on his/her complaint by clicking on the 'Complaint Status' displayed on the Commission's website- www.cvc.gov.in.
- Once a complaint has been registered in the Commission, further correspondence in the matter is generally not required. However, the Commission ensures that such complaints are investigated and action taken to its logical conclusion.
- The CVOs or the agencies concerned are 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. In case more time is required to finalise the investigation and send a report to the Commission in the prescribed format, the CVO should seek extension of time, within 15 days of the receipt of reference from the Commission, giving specific reasons. Any such request by the CVO concerned should be sent to the Commission, along with the approval of the Chief Executive of the organisation concerned.
- After receipt of investigation report, the Commission may tender its advice or seek further information/ clarification from the CVO. Such information/ clarification from the CVO should reach the Commission within six weeks of the receipt of communication by him. In case of any delay, the CVO concerned should seek extension of time from the Commission, along with valid reasons.

Gist of recent circulars published during the month of February - March 2022

Circular No:	Subject:	Details:
08/02/22 Dt. 11.02.2022	Procedure for Handling of complaints sent for necessary action to the organizations concerned-reg.	<ul style="list-style-type: none"> • CVC has been receiving communication from the complainants in respect of action taken on the complaint sent to CVO for necessary action. The main grievance of the complainants is of not getting any response from the respective CVOs. Since in respect of complaints sent for necessary action to the CVOs concerned, all further action are to be taken at CVOs level only, there is no mechanism available with the commission to inform the complainant about the status of their complaint in case they approach the commission for the same. • In order to assess the situation and find practical solutions to bring transparency in the process in respect of complaints sent by the commission to CVOs for necessary action, the commission had detailed deliberation on 10/02/2022 with officers of the commission and CVOs of NTPC, GAIL, PNB and ministry of defence. • After detailed deliberations, it was felt that the present mechanism of handling of complaint sent for necessary action to the CVOs has some gaps as it does not provide “end to end ”solution. • It has been decided by the commissions to form a committee to look at each and every aspect, including usage of technology and give recommendation so that revised guidelines under Complaint Handling Policy of the commission may be issued. • The committee would take up the above task with immediate effect and come out with recommendations for modifications of guidelines under Complaint Handling Policy for achieving “ end to end ” solutions in the respect of complaints sent to CVOs for necessary action. The committee would also give its recommendations about the manner in which complaints can be lodged with the commission.
11/03/22 Dt. 21.03.2022	Implementati on of final penalty orders issued by the Competent Authority and submission of compliance report-reg.	<ul style="list-style-type: none"> • The commission has decided that in order to ensure end to end action, the Chief Vigilance Officers of the organisations concerned should confirm about the implementation of the Final Penalty Orders issued in respect of each Charged Officers, who were found guilty, against whom advice for departmental action was tendered by the commission.

Advisory Issued to Management by Vigilance in the month of March, 2022

1. **Physical inspection of leased Kalaphata Sand Ghat located near Kandri mine.**
 - 1.1. Feasibility needs to be explored in regards to :
 - 1.1.1. Installation of night vision CCTV cameras :-
 - Near excavation site to ensure sand is excavated via manual means from river bed.
 - At storage site.
 - At single entry/exit point to ensure that there is no unauthorized access and transportation of sand.
 - 1.1.2. Illumination at storage site, single entry/exit point and other apt locations.
 - 1.1.3. Providing electricity supply for above.
 - 1.1.4. CCTV feed to designated officials.
 - 1.1.5. Provision of GPS tracker on truck should be a compulsory condition in tender. A system for monitoring of truck movement by designated official should be provided to prevent unauthorised sand transportation and theft.



Quarterly Structured Meeting with Management 15.03.22



Inspection by CVO, MOIL at Ukwa Mine.



Inspection by CVOs, MOIL at Kanki Sand Ghat.



Inspection by CVO, MOIL at Balaghat Mine.

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