–A Maharatna CPSE–

ಪ್ರಧಾನ ಕಛೇರಿ
मुख्यालय
CORPORATE OFFICE
ಹಿಂದೂಸ್ತಾನ್ ಏರೋನಾಟಿಕ್ಸ್ ಲಿಮಿಟೆಡ್
हिन्दुस्तान एरोनॉटिक्स लिमिटेड
HINDUSTAN AERONAUTICS LIMITED

HAL/HR/27(1)/Policy/2025

28th February 2025

Sub: Complaint Handling Policy - Comprehensive Guidelines on HAL Complaint Handling Mechanism and Procedure followed in PIDPI Complaints

Ref. (i) HAL/P&A/27(1)/Policy/2009/251 dated 13/05/2009
(ii) HAL/P&A/27(1)/Policy/2011 dated 19/09/2011
(iii) HAL/P&A/27(1)/Policy/2011 dated 10/05/2012
(iv) HAL/P&A/27(1)/Policy/2013 dated 25/03/2013
(v) HAL/HR/27(1)/Policy/2021 dated 31/05/2021
(vi) HAL/HR/27(1)/Policy/2023 dated 08/08/2023

* * * * *

Reference is made to the Circulars cited above, on Complaint Handling Policy.

2. The Complaint Handling Policy was notified in the Company vide Circular dated 13/05/2009 cited at ref. (i) above based on the discussion in the Annual Zonal Review Meeting with CVOs held by the CVC. Subsequently, instructions / directions were also issued on the matter from time to time vide Circulars cited at ref. (ii) to (vi) above for compliance by the Divisions / Offices.

3. In this regard, it is brought out that CVC vide Circular No. 25/12/21 dated 24/12/2021 has issued "Comprehensive Guidelines on Complaint Handling Mechanism" and amended the same vide Circular No. 24/11/22 dated 03/11/2022. Subsequently, DoPT has also issued a Circular on "Revised Guidelines regarding handling of Complaints in Ministries / Departments / Organizations of Govt. of India" vide OM No. 104/76/2024-AVD-IA dated 09/10/2024.

4. As such, it is decided to put in place a Comprehensive Complaint Handling Policy covering various aspects brought out in the CVC & DoPT's Circulars.

5. Accordingly, **Comprehensive Guidelines on HAL Complaint Handling Mechanism and Procedure followed in PIDPI Complaints** is enclosed as **Annexure - I** for handling all the Complaints received in the Divisions / Offices with immediate effect.

6. It is requested to sensitize all Departments in the Divisions / Offices for strict compliance of the instructions / guidelines notified on the matter.

7. Necessary action may be taken accordingly, please.

28.2.25

(M G Balasubrahmanya)
Executive Director (HR)

Encl. As stated.

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Annexure - I

Comprehensive Guidelines on HAL Complaint Handling Mechanism & Procedure followed in PIDPI Complaints

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1. Introduction:

Combating Corruption requires a multipronged strategy which calls for involvement of all the Stakeholders in a participatory manner. Increased participation of Stakeholders at various levels would help in elimination of corrupt activities. It would enhance transparency while simultaneously reducing the potential for corrupt or inappropriate actions. Citizen of the Country can also draw the attention of appropriate agency towards the acts of Corruption by making a formal Complaint in writing or through other specified means. These guidelines are aimed to provide information about the Complaint Handling Mechanism in HAL, enabling Citizens to file / lodge Complaints.

2. Background:

In the Annual Zonal Meeting with CVOs held on 23/01/2009 at Chennai, the Central Vigilance Commission has laid down that every Organization should implement a Complaint Handling Policy (CHP) to ensure that the concerned CVOs have full access to all Complaints. Accordingly, Complaint Handling Policy in HAL was notified vide Circular No. HAL/P&A/27(1)/Policy/2009/251 dated 13/05/2009. As per the Policy, Vigilance Department should act as the Nodal Agency for handling all Complaints.

3. Applicability:

These guidelines shall apply to all complaints made against the Officials of HAL other than Board Level Officials. In the case of Board Level Officials, CVO, HAL, would forward the Complaint to the CVO of concerned Administrative Ministry for consideration. Vigilance Department has no jurisdiction over private individuals and other Organizations.

4. 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/her influence with any other employees;

(ii) Obtaining valuable thing, without consideration or with inadequate consideration from a person with whom he/she has or likely to have Official Dealings or his/her subordinates have Official Dealings or where he/she can exert influence;

(iii) Obtaining for himself/herself or for any other person any valuable thing or pecuniary advantage by corrupt or illegal means or by abusing his/her position as a Public Servant;

(iv) Possession of Assets disproportionate to his/her 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 of required transactions and issues in time; cause of undue loss or a concomitant gain to an individual or a set of individuals / a party or parties, these are some of the irregularities where the Disciplinary Authority with the help of the Chief Vigilance Officer (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 matter, 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]

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

[Clause 1.4.2 of Chapter-I of CVC Vigilance Manual 2021]

5. Complaints:

A Vigilance Complaint is a statement or information from various sources containing details about offences falling under Vigilance Angle i.e. Corruption / malpractices / misconduct alleged to have been committed in violation of the following:

(a) HAL Conduct, Discipline, and Appeal (CDA) Rules;

(b) Certified Standing Orders of the respective locations of HAL; and

(c) Prevention of Corruption Act (PC Act), 1988 (as amended from time to time).

Note: *Any other Complaint, not falling under above criteria, shall be treated as Non-Vigilance Complaint.*

6. Complaints by Public against Public Servants - Role of Complainant:

Combating Corruption goes beyond enacting laws and establishing institutions; it is fundamentally tied to individual values and morals. The fight against corruption cannot succeed without the support, participation, and active vigilance of citizens. Public involvement is crucial in fostering good governance, upholding integrity, and curbing corruption. The complainants can play an extremely important role in scrutinizing actions of Government Agencies, Public Servants.

7. Guidelines for the Complainant:

To ensure that Complaints lead to effective and timely action, it is essential to consider certain key factors when lodging them. For public guidance, the following points are emphasized for prompt action on Complaints:

(a) The Complaint should be pertaining to Officials & subject matter of HAL;

(b) Complaints can be lodged either in Written Communication to Vigilance Department or Online Complaints through HAL Website;

(c) On receipt of any online / signed Complaints, a unique Complaint Number is provided to the Complainant to know the status from HAL's Website;

(d) Complaints sent through Written Communication and HAL Website should contain Name, Complete Postal Address, Mobile Number & E-mail ID (if any) of the sender with specific details / information of the matter and should be signed by the Complainant (in case of Written Complaints);

(e) All Complaints including those filed / handed over in person must contain complete postal address with PIN code. The same will be used for authentication and verification through post. Following this, the complainant must also submit a valid Government issued ID alongwith the authentication;

(f) A Complaint should be lodged in typed or written form preferably in English or Hindi or in regional language for facilitating early action thereon;

(g) Complaints sent to any E-mail ID of the Officers / Departments of HAL will not be entertained. However, in case, any Complaint is received through E-mail, the recipient of the E-mail Complaint will forward the same to CVO, HAL as per Complaint Handling Policy for taking decision on the Complaint (Vigilance / Non-vigilance). Further, if the Complaint bears allegations with Vigilance Angle, then Complainant

will be informed by Vigilance Department to lodge the same Complaint through HAL Website or by post;

(h) In case, if the E-mail Complaint is of non-vigilance in nature, the same will be forwarded to concerned Administrative Authority by Vigilance Department for necessary action. However, veracity check of the Complainant is to be carried out by the Administrative Authority, if they intend to take any action on the Complaint (other than filing);

(i) Complaints lodged should be genuine & based on verifiable facts. Malicious, Vexatious or Frivolous Complaints will not be entertained;

(j) The Complaint should not be Anonymous or Pseudonymous;

(k) The Complaint should be clear, specific, and supported by sufficient evidence (if any);

(l) The Complaint should not be biased or based on any Personal Grievances;

(m) Normally one specific issue should be raised in one Complaint. However, if more than one specific issues are there, it is better to raise the same in separate Complaints;

(n) Complaints should be clearly legible;

(o) The Complainant should lodge Complaints only regarding issues having Vigilance Angle and which are not part of any litigation in any Courts, Tribunals, etc., i.e. the matter should not be sub-judice;

(p) Complainant who want to keep their identity confidential should file Complaint under the provisions of PIDPI Resolution. The details of PIDPI Resolution are mentioned in this Policy;

(q) In the matter of Complaint related to ongoing Tenders, Vigilance Department would not generally interfere in the Tendering Process.

8. Lodging of Complaints:

Complaints can be lodged with the Vigilance Department by addressing a Written Communication / letter directly to Chief Vigilance Officer, Vigilance Department, Hindustan Aeronautics Limited, 15/1, Cubbon Road, Bengaluru - 560001. Complaints can also be lodged online through the HAL's Website www.hal-india.co.in under the tab "Vigilance".

9. Source of Complaints:

Source of complaint may be any of the following:

(a) Complaints received from employee(s) of HAL or from the Public;

(b) Departmental Inspection Reports, Stock Verification Reports;

(c) Scrutiny of Annual Property Returns;

(d) Scrutiny of transactions reported under the CDA Rules;

(e) Audit Reports on HAL Accounts by CAG and other agencies;

(f) Reports of irregularities detected in the routine Audit of Accounts;

(g) Reports of Parliamentary Committees like the Estimate Committee, Public Accounts Committee and the Committee on Public Undertakings;

(h) Proceedings of the Houses of Parliament;

(i) Complaints and Allegations appearing in the Press, etc.;

(j) Source information, if received verbally from an identifiable source, to be reduced in writing;

(k) Information shared by agencies like CBI, ACB, Lokayuktas, etc. Complaints may also be received from or forwarded by:

(i) Central Vigilance Commission made under Public Interest Disclosure or otherwise;

(ii) The President's Secretariat and the Prime Minister's Office;

(iii) Ministries and Departments of the Central or State Govt.;

(iv) CBI and other Police Authorities when they do not intend to investigate the Complaint;

(v) MPs/MLAs/VIPs/individuals and non-governmental organization.

10. Types of complaints and action taken by Vigilance Department:

All complaints received by vigilance department are classified as under:

(a) **Signed Complaints:** These are Complaints wherein the details of the individual is mentioned in the Complaint. On verification, Complainant

owns / confirms the Complaint. Such Complaints shall be processed as per the Policy.

(b) **Pseudonymous Complaints:** These are Complaints wherein the details of the individual is mentioned in the Complaint. On verification, the Complainant either disowns or not respond within a reasonable time. Such Complaints will be filed without action.

(c) **Anonymous Complaints**: These are the Complaints wherein the details of the individual is not mentioned in the Complaint and identity is not traceable. Such Complaints will be filed without action.

(d) **Whistle Blower / Public Interest Disclosure and Protection of Informer (PIDPI), Complaints:** If a Complainant wants his identity to be kept secret, he/she should lodge a Complaint under PIDPI.

11. Action to be taken on Complaints received by HAL:

(a) As per the policy, Vigilance Department is designated as the Nodal Agency for handling all the Complaints. Hence, Complaints received by any of the Departments should be forwarded to CVO through respective Divisional / Complex Vigilance Departments. The CVO is the Nodal Authority to determine the existence of Vigilance Angle in any Complaint;

(b) On receipt of Complaints in the Vigilance Department and after initial scrutiny of the contents, the CVO may take any of the following actions:

(i) Get an investigation done through CBI or any other investigating agency into allegations bearing Criminal Misconducts; or

(ii) An investigation will be carried out by an Officer of the Department to ascertain the allegations ; or

(iii) Send the Complaint for Factual Report (FR) or Discreet Verification and obtain Report; or

(iv) Administrative & Non-Vigilance Complaints are sent to the concerned Department for necessary action; or

(v) File or close the Complaint, without further action.

(c) In case, a view is taken to call for Investigation and Report (I&R) on a Complaint, Vigilance Department seeks confirmation from the Complainant for owning or disowning the Complaint & the Complainant should respond within 15 days. The Complainant should provide a copy of his/her identity proof issued by Govt. approved agencies. If no response is received within 15 days, one more reminder to be sent for confirmation from the Complainant within next 15 days. If no response is received even after the reminder, the Complaint will be filed as

Pseudonymous;

(d) Once a Complaint has been registered by Vigilance Department, further correspondence in the matter is generally not required. However, Vigilance Department ensures that such Complaints are investigated and action taken to its logical conclusion;

(e) Once the decision has been taken to examine the Complaint, a copy of the Complaint should be made available to the Officer/s against whom the allegations have been made. However, the identity of the Complainant shall not be revealed and the name to be masked (in the Complaint) to protect against victimization and vindictiveness;

(f) Investigation will be conducted and processed within three months from the date of registration of Complaint or within such time as specified by CVO.

12. Handling of Complaints against Board Level Officials:

(a) On receipt of Complaint by CVO, HAL, involving a Board Level Appointee, whether figuring alone or in association with others, is to be forwarded to the CVO of concerned Administrative Ministry for consideration;

(b) When the name of an Official is being considered for promotion / finalized for Board Level Appointments, the following are decided by the CVC for the purpose of giving Vigilance Clearance:

(i) As a Rule, Complaints / Cases which are more than 5 years old and against which no action has been taken till then, should not be taken into cognizance. However, the limit of 5 years will not apply to cases of fraud and other Criminal Offences; and

(ii) No cognizance should be taken of any Complaint which is received up to 6 months prior to the initiation of selection process for Board Level Officials.

13. Processing of Complaints:

All Complaints received at Vigilance Department shall be registered and processed in Online Vigilance (OLIV) Portal which is developed in-house for this purpose. A separate Online Register is maintained in OLIV for registering Complaints bearing Vigilance Angle and Administrative.

(a) Complaints having Vigilance Angle:

(i) In case, it is a PIDPI Complaint forwarded by the CVC, an Investigation shall be carried out and Report is to be submitted to the CVC within 12 weeks;

(ii) The Complaint may be forwarded to the Administrative Ministry (MoD) wherever the Role of Board Level Officials has been alleged;

(iii) In case there are verifiable allegations, the Complaint will be forwarded to concerned Vigilance Officers to carry out Investigation or closure based on the outcome of the veracity check;

(iv) On receipt of any Complaint containing allegations against any Tender in processing / decision stage, the Tender process need not be stopped. However, the allegation should be brought to the notice of the Competent Authority, including the Purchase Committee, Tender Committee, Negotiation Committee, etc. The Complaint should be processed independently after final decision is taken by the Tender / Purchase Committee and/or the Competent Authority.

(b) Complaints not bearing Vigilance Angle / Administrative in nature:

A Complaint of the following nature shall not be entertained by CVO and shall be summarily dismissed or filed or forwarded to the concerned Authority for necessary action as deemed fit, namely:

(i) Where allegations are Administrative in nature such as those relating to Transfer, Posting, Recruitment, Suspension or Travelling Allowance; unless there is involvement of Vigilance Angle relating to alleged commission of offences under the Prevention of Corruption Act, 1988 / misconduct under CDA Rules or Standing Orders;

(ii) Complaints which are Administrative in nature are forwarded to the respective Departments for necessary action and closed. On receipt of Administrative Complaint at Vigilance Department, a Unique ID shall be created for the same. Respective Department will intimate the unique ID to the Complainant to facilitate him to know the status updated in HAL Website. Further status if any, would be available with the respective Departments and hence, it would be appropriate for the Complainant to approach the concerned Department for obtaining information about the same. Veracity check of the Complainant is to be carried out, if the Administrative Authority intends to take necessary action on the Complaint (other than filing);

(iii) Which are addressed or endorsed to multiple Authorities;

(iv) Which are Anonymous or Pseudonymous;

(v) Which are vague, frivolous or not specific in content or nature;

(vi) Contain matters which are sub-judice before any Competent Court or Tribunal or Authority;

(vii) Which are against private persons, State Government Officials, Members of Parliament or State Legislature, elected representatives of

other Bodies, members of judiciary or Officials of Private Organizations;

(viii) Which are not against the category of Public Servants as specified under such Section (2) of Section 8 of the CVC Act and the notification issued thereunder; and

(ix) Which are illegible.

(c) After registration of Complaint in OLIV and subsequent direction by CVO, it is forwarded to the concerned Vigilance executive for Investigation and Report, for Complaints bearing Vigilance Angle;

(e) In case of Administrative Complaints, the Complaints are forwarded to respective Departments for further necessary action, as deemed fit. In case of Non-vigilance Complaints which were forwarded to Administrative Authority for necessary action, an Action Taken Report (ATR) will be forwarded by the Administrative Authority to Vigilance Department;

(f) The Complaint is filed in case of Anonymous / Pseudonymous Complaints.

14. Disposal of Complaints:

Each Complaint will be examined by the Chief Vigilance Officer and the following actions are taken:

(a) If Complaint gives definite information, an Investigation shall be carried out to verify the allegations to decide whether or not, the Public Servant concerned should be proceeded against departmentally or in a Court of law;

(b) The information passed on by the CBI to the Vigilance Department regarding the conduct of any of its Officials should also be treated in the same way;

(c) Complaints received by the CVO from the Commission for Investigation Report, shall be treated as a signed Complaint (not required to be verified for genuineness) and taken up for investigation;

(d) The Complaints received from CVC for necessary action will be handled as per Complaint Handling Policy;

(e) In addition to the guidelines defined, the following aspects will also be considered:

(i) Initially, the decision about the existence of Vigilance Angle in a Complaint shall be taken by the CVO and the Complaint will be taken up for investigation, if Vigilance Angle exists. On submission of Investigation Report to the Disciplinary Authority (DA), he/she may differ with the CVO within a period of 15 days,

giving valid reasons. In case of difference of opinion regarding the existence of Vigilance Angle, the matter alongwith the Investigation Report would be referred to the Commission for its First Stage Advice;

(ii) In so far as PIDPI Complaints are concerned, the Commission has jurisdiction over all Officials (irrespective of their level) of the Organization covered under the Commission's jurisdiction. Therefore, in respect of PIDPI Complaints, Investigation Report will be sent to the Commission, for all categories of Officials.

15. PIDPI [Public Interest Disclosure & Protection of Informer Resolution] Complaints:

(a) Introduction:

Based on the direction of the Hon'ble Supreme Court of India, DoPT has issued Public Interest Disclosure and Protection of Informers Resolution, 2004, by which a Complainant can lodge a Complaint in the prescribed manner and also seek protection against victimization for doing so. (Such Complainants, called Whistle Blowers, are entitled to non-disclosures of their identity publically, unless, they themselves do so). The Central Vigilance Commission has been authorized under the PIDPI Resolution, as the Designated Agency to receive Complaints from Whistle Blowers.

(b) Procedure for filing PIDPI Complaints:

(i) The Complaint should be addressed to Secretary, CVC, New Delhi - 110023 and the envelope should be superscribed as "PIDPI";

(ii) Name and Address of the Complainant should NOT be mentioned on the envelope but in the letter inside in a closed cover;

(iii) Complaints should be sent via Post only;

(iv) Post Offices will not insist for the Name, Address and Phone No. of the sender, if the post is superscribed as "PIDPI".

(c) Nature of Compliant:

(i) The Complaint should have Vigilance Angle and should not be for Grievance Redressal;

(ii) The Complaint against any employee of Ministry / Dept. / Corporation established under any Central Act, Government Companies, Societies, Local Authorities Owned / Controlled by Central Govt. will be taken into cognizance;

(iii) The Complaint against State Government Officials will not be entertained.

(d) Guidelines:

(i) Anonymous & Pseudonymous Complaints are not entertained;

(ii) Complaints should not be sent in open condition or on Public Portal;

(iii) Complaints that are personally related to the Complainant or addressed to other Authorities may lead to disclosure of identity;

(iv) Name and Address should be mentioned on the letter inside the envelope for confirmation purposes;

(v) Documents that reveal identity should not be enclosed or mentioned in the Complaint e.g. documents received under RTI;

(vi) The details of the Complaints should be specific and verifiable;

(vii) Complaints should be sent via Post only. Complaints received through E-mails or any other Electronic Medium will not be entertained;

(viii) The Commission can also take action against Complainant making motivated / vexatious Complaints under this Resolution;

(ix) The CVC will not issue any acknowledgement against receipt of Complaint;

(x) The CVC assures that, subject to verifiable facts, necessary actions are taken under the Govt. of India Resolution;

(xi) Complainants are advised not to enter into any further correspondence in their own interest;

(xii) The detail guidelines on PIDPI can be assessed from CVC website: https://www.cvc.gov.in

16. Various timelines related to Complaints:

The Commission has been laying emphasis on timely / prompt action on Complaints in order to ensure that irregularities, if committed, are surfaced at the earliest possible and all preventive / punitive measures can be taken expeditiously. For this purpose, the Commission has issued guidelines on various occasions, specifying the time limit for dealing with Complaints. The same is summarized in the following table:

Sl. No.	Description	Timeline
1.	Timeline for seeking confirmation from Complainant before initiating Investigation Process.	15 days
2.	If confirmation not received within 15 days, reminders 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 Investigation Report to the CVO.	3 months or as specified
4.	Timeline for submission of Investigation Report in PIDPI Complaints, referred by the Commission.	12 weeks or as specified.
5.	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

17. Withdrawal of Complaints by Complainant:

It is to be noted that once a Complainant confirms the Complaint and Investigation has been initiated by the Vigilance Department, it is not permissible to withdraw / stop the Investigation, even if the Complainant requests for withdrawal or for stopping the Investigation. The allegations contained in the Complaint have to be taken to their logical conclusion, once Investigation has started.

18. Action against persons making false Complaints:

There are specific provisions in law to deal with false, frivolous, and motivated Complaints. The same are not evoked ordinarily for the sake of genuine Complainants. However, in case where it can be established that the Complaints were lodged with a malafide / ulterior motive to harass or harm an innocent Government Servant, necessary action could be taken against such Complainants as per law. If the person making a false Complaint is a Public Servant, Departmental Action may also be considered against him/her as an alternative to prosecution.

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References:

Sl. No	Detail
1	CVC, Vigilance Manual, 2021
2	CVC, Expeditors disposal of Complaints received against employees, No. 021-AIS-1(2) dated 19/04/2021
3	CVC, Comprehensive Guidelines on Complaint Handling Mechanism, No. 021/VGL/05 dated 24/12/2021
4	Amendment to Comprehensive Guidelines on Complaint Handling Mechanism, No. 021/VGL/051dated 03/11/2022
5	DoPT, Revised Guidelines regarding Handling of Complaints in Ministries / Departments / Organization of Government of India No. 104/76/2024 dated 09/10/2024