

ACTION ON ANONYMOUS / PSEUDONYMOUS COMPLAINTS

Section 3.10, Vigilance Manual 2017.

- 1) (3.10.1) The instructions / guidelines issued from time to time in the matter by DoPT/ CVC are as follows: -
 - a) DoPT OM No. 321/4/910-AVD.III dated 29.09.1992 states that no action is required to be taken on anonymous / pseudonymous complaints in general. However, it provided the option to inquire into such complaints which contained verifiable details.
 - b) Commissions initial Circular No.3(v)/99/2 dated 29.06.1999 prescribes that no action should be taken on anonymous / pseudonymous complaints and they should just be filed.
 - c) Commissions Circular No. 98/DSP/9 dated 31.01.2002 reiterates that under no circumstances, should any investigation be commenced on anonymous / pseudonymous complaints.
 - d) Commissions Circular No. 98/DSP/9 dated 11.10.2002 reviewing its earlier instructions of 1999, envisaged that if any Department / organisation proposes to look into the verifiable facts alleged in anonymous/ pseudonymous complaints, it may refer the matter to the Commission seeking its concurrence through the CVO or the head of the organisation. These guidelines stand withdrawn vide CVC Circular No. 07/11/2014 dated 25.11.2014.
 - e) DoPT OM No. 104/76/2011-AVD.I dated 18.10.2013 provides that no action is required to be taken on anonymous complaints irrespective of the nature of the allegations and such complaints need to be simply filed.
 - f) Commissions Circular No. 07/11/2014 dated 25.11.2014 withdrawing Circular No. 98/DSP/9 dated 11.10.2002, reiterates previous Circular No.3(v)/99/2 dated 29.6.1999 and Circular No. 98/DSP/9 dated 31.01.2002 to the effect that no action should be taken on anonymous / pseudonymous complaints and such complaints should be filed.
 - g) As per DoPT complaint handling policy issued vide OM No. 104/76/2011- AVD.I dated 18.10.2013, complaints containing vague allegations could also be filed without verification of identity of the complainant even if identity of complainant is mentioned in the complaint.
- 2) (3.10.2) The Commission has furnished clarifications through Circular No.03/ 03/16 dated 07.03.2016 to Ministries / Departments on action to be taken on anonymous / pseudonymous complaints which were acted upon and were at different stages of process including disciplinary proceedings before issue of CVC Circular No. 07/11/2014 dated 25.11.2014. Accordingly, it has been clarified that: -
 - a) No action should be taken on anonymous / pseudonymous complaints in line with Com-

missions present Circular No. 07/11/2014 dated 25.11.2014, and such complaints should be filed.

- b) However, where the action was initiated on anonymous / pseudonymous complaints prior to the issue of CVCs Circular No.3(v)/99/2 dated 29.6.1999, it can be pursued further to its logical end.
 - c) Where action was initiated on anonymous / pseudonymous complaints between the period 11.10.2002 and 25.11.2014 with prior concurrence of the Commission but is pending, further action is permissible on such complaints.
 - d) Material / evidence gathered during the investigation / verification of anonymous complaints when the action was prohibited on such complaints (i.e. between 29.6.1999 11.10.2002), or where such inquiry was initiated without the approval of the Commission, can be utilised for further initiation of disciplinary proceedings on misconducts noticed in such verification/inquiry.
- 3) (3.10.3) The procedure for handling anonymous / pseudonymous complaints has been modified in view of the fact that complainants who desire to protect their identity now have the protection of the Public Interest Disclosure & Protection of Informers Resolution 2004 (PIDPIR). Relevant instructions on this have been issued vide DoPT OM No. 104/76/2011-AVD.I dated 18.10.2013.
 - 4) (3.10.4) Any complaint that does not bear the name and address of the complainant is an anonymous complaint. No action is to be taken on anonymous complaints by the Ministries / Departments / Organisations, irrespective of the nature of allegations, and such complaints should be filed. Such complaints shall not be treated as registered complaints.
 - 5) (3.10.5) Similarly, no action is to be taken by the Ministries / Departments/ Organisations in the case of complaints which are treated as pseudonymous. A complaint that does not bear the full particulars of the complainant or is unsigned or is not subsequently acknowledged by a complainant as having been made is a pseudonymous complaint. Pseudonymous complaints will be referred to the complainant for confirmation / genuineness verification and if no response is received from the complainant within 15 days of sending the complaint, a reminder will be sent. After waiting for 15 days of sending the reminder, if still no response is received, the said complaint may be filed as pseudonymous by the concerned Ministry / Department. The relevant Circulars on the subject are CVCs Circular No. 07/11/2014 dated 25.11.2014, DoPT OM No. 104/76/2011-AVD.I dated 18.10.2013 and Circular No.03/03/16 dated 07.03.2016.