

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI  
REVENUE DEPARTMENT  
(VIGILANCE BRANCH)  
5, SHAM NATH MARG DELHI.

No.F.14(97)/2015/ Vig. (HQ )/ /Div.Com./ 2136

Dated: 19/11/18

To

The Deputy Commissioner  
All Districts,  
Revenue Department,  
Delhi.

**I. T. BRANCH**  
Revenue Department  
Diary 2094.....  
Date..19/11/18.....

**Sub:- Forwarding of Circular/Office Memorandum received from Dte. Of  
Vigilance-regarding.**

Sir/Madam,

I am directed to forward herewith following Circular/ Office Memorandum (copy enclosed) received from Dte. of Vigilance for taking further necessary action at your end.

S. No.	Letter no. with date	SUBJECT
1.	No.F.01/18/2005/DOV/17105-17109 dated 29/10/18.	Amendment of Government of India's Resolution No.89 published in the Gazette of India Part I Section1, Extraordinary dated 21 <sup>st</sup> April,2004(read with corrigendum dated 29 <sup>th</sup> April,2004)commonly known as the Public Interest Disclosure and Protection of Informers(PIDPI) Resolution-reg.

*Unlaced M*  
*20/11/18*  
*SA-III*

Enl.: As above

No.F.14(97)/2015/ Vig. (HQ )/ /Div.Com./ 2137

Copy forwarded to :-

1. The System Analyst to upload the order on the department website.

Yours faithfully,

*(Signature)*  
(P.R.KAUSHIK)  
OIC(VIG)/SDM-I(HQ.)

Dated: 19/11/18

*(Signature)*  
(P.R.KAUSHIK)  
OIC(VIG)/SDM-I(HQ.)

Circular

*Div. Com*

*140/4*

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
**{DIRECTORATE OF VIGILANCE}**  
 LEVEL-4 : C- WING: DELHI SECRETARIAT: NEW DELHI-110002  
 (Phone No. 23392257 & Fax No. 23392354/23392353)

No.F.01/18/2005/DOV/ *1205-1209*

Dated: *28/10/18*

To  
 The Pr. Secretary/Secretary/Head of Department(s),  
 All Departments under Govt. of NCT of Delhi,  
 New Delhi/Delhi.

**Subject: Amendment of Government of India's Resolution No.89 published in the Gazette of India Part I Section 1, Extraordinary dated 21<sup>st</sup> April, 2004 (read with corrigendum dated 29<sup>th</sup> April, 2004) commonly known as the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution - regarding.**

*Div. Com*

Sir/Madam,

I am directed to bring the contents and procedure as defined in the Office Memorandum No.371/4/2013-AVD-III dated 16<sup>th</sup> June, 2014 of Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions, Government of India, into the knowledge of all the Head of Department under GNCT of Delhi for its compliance and also ensure that the complaints under PIDPI will be examined as per the aforesaid OM. The stated OM dated 16/06/2014 can be downloaded by visiting the official website of this Directorate at [www.delhigov.in](http://www.delhigov.in).

*30/10/18*

*DI-I (in reply)*



Yours faithfully,

*[Signature]*

(K.S. MEENA)

DEPUTY SECRETARY (VIGILANCE)

Dated: *28/10/18*

No.F.01/18/2005/DOV/ *1205-1209*

**Copy forwarded for information and necessary action to:-**

1. The Under Secretary to the Government of India, Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions, Government of India, North Block, New Delhi.
2. The Assistant Directors/Section Officers (dealing with complaints Seats), Dte of Vigilance, GNCTD.
3. The Nodal Officer (Website updation)- Sh. Naveen Hinduja, Section Officer (Vig.), Directorate of Vigilance, GNCT of Delhi **may please find enclosed herewith the copy of the above referred OM dated 16/06/2014 for its immediate uploading at the official website of this Directorate.**
4. Guard File/Consultant, Dte of Vigilance, GNCT of Delhi.

*SDM-I*

*SO (VIG)*

(K.S. MEENA)

DEPUTY SECRETARY (VIGILANCE)



*Mr. Panna*

*2386/wj 01/11/18*

*[Signature]*

153/C

No. 371/4/2013-AVD-III  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block New Delhi  
Dated the 16<sup>th</sup> June, 2014

**OFFICE MEMORANDUM**

Subject: Amendment of Government of India's Resolution No. 89 published in the Gazette of India Part I Section 1, Extraordinary dated 21<sup>st</sup> April, 2004 (read with corrigendum dated 29<sup>th</sup> April, 2004) commonly known as the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution-regarding

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In continuation of this Department's OM of even No. dated 3<sup>rd</sup> September, 2013 on the above subject, the undersigned is directed to enclose herewith a copy of **Procedure for handling of complaints under Public Interest Disclosure and Protection of Informers (PIDPI) Resolution to be followed by the Chief Vigilance Officers of the Ministries/Departments of the Government of India** who have been authorized as the Designated Authority to receive written complaint or disclosure on any allegation of corruption or misuse of office by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government and falling under the jurisdiction of that Ministry or the Department.

2. The CVOs in the Ministries or Department, either on the application of the complainant or on the basis of the information gathered, is of the opinion that either the complainant or the witnesses need protection, they shall take up the matter with the Central Vigilance Commission (CVC), of issuing appropriate directions to the authorities concerned.

3. It is requested to give wide publicity to the Procedure for handling of complaints under PIDPI Resolution by placing it along with the name and designation of the designated authorities on the website of Ministries as well as of the organizations under the Ministries. A copy of the PIDPI Resolution No. 89 dated 21<sup>st</sup> April, 2004 and Amendment Resolution No. 190 dated 29.8.2013 is also enclosed

Encl: As above.

✓.

  
16/6/14  
(M.M. Maurya)

Under Secretary to the Government of India  
Tel. No. 23094541

To,

CVOs in the Ministries/Departments of the Government of India.  
(By name as per enclosed list)

-----2/-

139/4  
152/c

-2-

Copy for information to:

1. All the Ministries/ Departments of the Government of India.
2. The Cabinet Secretariat, New Delhi.
3. The Secretary, Central Vigilance Commission, Satarkata Bhavan, New Delhi. It is requested that the content of this OM may be uploaded on the website of the Commission and wide publicity may be given. The CVOs of the Ministries/Departments may also be addressed by the Commission.
4. PS to Hon'ble MOS(PP), PPS to Secretary(P)/EO&AS/AS(S&V), DOPT.
5. The CVO, Department of Personnel and Training, New Delhi.
6. NIC, DoP&T for uploading on DoP&T website.
7. Order folder/Guard file.

151/c

Procedure for handling of complaints under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution dated 21.4.2004 to be followed by the designation authority (CVOs or Ministries/Departments).

1.	The 'Designated Authority' shall authorize an officer not below the level of Section Officer (SO) for receiving complaints under the PIDPI Resolution.
2.	All envelopes super-scribed with 'Complaint under The Public Interest Disclosure' will be opened by the SO/In-charge, so authorized, in presence of the 'Designated Authority'.
3.	The identity of the complainant would be confirmed by the SO/In-charge by writing a letter to him/her. Sample of the letter is at Annexure-I.
4.	After the identity is confirmed, both, 'Designated Authority' and the SO/In-charge, will ensure that the identity of the complainant is removed from the body of the complaint and the dummy complaint given a number along with central registry diary number with which the original complaint can be traced back.
5.	The original complaint would be kept in a safe/almirah. The custody of the almirah will remain with the concerned Section Officer and at no time that complaint can be accessed without proper authority from the 'Designated Authority'.
6.	The dummy complaint so made would be submitted to the 'Designated Authority' who would take the decision whether the matter requires to be looked into further and report is to be called in the matter from any quarters. (Separate files may be open for each complaint)
7.	While considering the complaints the 'Designated Authority' would take no action on complaints relating to administrative matters like recruitment, promotion transfers and other related issues. However, in case of serious complaints of irregularity in these matters, the same could be brought to the notice of the Secretary/Head of the organization for taking appropriate action.
8.	In such cases where a decision has been taken to call for a report, a maximum time limit of 2 weeks may be given. In case no reply is received within two weeks, a reminder should be sent at the level of the "Designated Authority". If no reply is still received, the second reminder

138/c

150/c

	after 2 weeks should be sent at the level of the Secretary. If no reply is still received, the "Designated Authority" may call for an explanation and recommend administrative action for deliberate delay.
9.	On receipt of the report, the concerned SO/In-charge will put up the matter to the 'Designated Authority' who shall investigate into the complaint and prepare an investigation report within two weeks.
10.	The "Designated Authority" would submit the investigation report along with his recommendation to the Central Vigilance Commission for further direction.
11.	Meanwhile, the "Designated Authority" shall ensure that no punitive action is taken by any concerned Administrative authority against any person on perceived reasons/suspicion of being "whistle blower".
12.	Subsequent to the receipt of Commission's directions to undertake any disciplinary action based on such complaints, the CVO has to follow up and confirm compliance of further action by the DA and keep the Commission informed of delay, if any.
13.	The Section Officer/In-charge should maintain a separate list for the complaints received under the 'PIDPI Resolution' and enter the information in the computer system and monitor their progress periodically and put up the same to the 'Designated Authority' every 2 weeks.
14.	Wherever the complainant has alleged victimization/harassment the 'Designated Authority' should ensure that if the identity of the complainant somehow becomes known he/she should not be harassed/victimized by way of frequent transfers etc.
15.	In case a complainant seeks protection and reports that his life is in danger, the 'Designated Authority' would examine the same and send his recommendation to the CVC to take up the matter with the Nodal Officers of respective States/UTs appointed by the Ministry of Home Affairs/State Governments for the purpose of providing security cover to the whistle blowers.

149/c  
ANNEXURE-I

CONFIDENTIAL

Speed post/Registered post

F. No. Conf./ /...  
Government of India  
Ministry of .....

.....  
New Delhi the ..... 2014

To,

Sir,  
Please refer to your complaint dated ..... received in this Ministry/Department on ..... under "Public Interest Disclosure & Protection of Informer Resolution (PIDPI)".

2. As per policy, a complainant is required to confirm that he/she has actually sent the said complaint to the Ministry/Department. You are, therefore, requested to confirm within 30 days of receipt of this letter, that you have sent the above-mentioned complaint.

3. You are also requested to furnish a certificate to the Ministry/Department as per format enclosed that you have not made similar/identical allegations of corruption/misuse of office to any other authorities to qualify as a 'Whistle Blower' complainant.

4. The reply may be addressed to the undersigned by name.

Yours faithfully.

Under Secretary

Encl: Certificate.

## MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

## RESOLUTION

New Delhi, the 21st April, 2004

No. 371/12/2002-AVD-III.—Whereas while hearing Writ Petition (C) No. 539/2003 regarding the murder of Shri Satyendra Dubey, the Supreme Court desired that pending enactment of a suitable legislation, suitable machinery should be put in place for acting on complaints from "whistle-blowers".

And whereas the 'The Public Interest Disclosure and Protection of Informers' Bill, 2002, drafted by the Law Commission is under examination.

Now, therefore, the Central Government hereby resolves as under :

1. The Central Vigilance Commission (CVC) is hereby authorized, as the Designated Agency, to receive written complaints or disclosure on any allegation of corruption or of mis-use of office by any employee of the Central Government or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government. The disclosure or complaint shall contain as full particulars as possible and shall be accompanied by supporting documents or other material.
2. The designated agency may, if it deems fit call for further information or particulars from the persons making the disclosure. If the complaint is anonymous, the designated agency shall not take any action in the matter.
3. Notwithstanding anything contained in the Official Secrets Act, 1923, any public servant other than those referred to clauses (a) to (d) of Article 33 of the Constitution or any other person including any non-governmental organisation, may make a written disclosure to the designated agency.
4. If the complaint is accompanied by particulars of the person making the complaint, the designated agency shall take the following steps :
  - (i) The designated agency will ascertain from the complainant whether he was the person who made the complaint or not.
  - (ii) The identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other office or authority.
  - (iii) After concealing the identity of the complainant, the designated agency shall make, in the first instance, discreet inquiries to ascertain if there is any basis of proceeding further with the complaint. For this purpose, the designated agency shall devise an appropriate machinery.
  - (iv) Either as a result of the discreet inquiry, or on the basis of the complaint itself without any inquiry, if the designated agency is of the opinion that the matter requires to be investigated further, the designated agency shall officially seek comments/or explanation from the Head of the Department of the concerned organisation or office. While doing so, the designated agency shall not disclose the identity of the informant and also shall request the concerned Head of the organisation to keep the identity of the informant secret, if for any reason, the concerned Head comes to know the identity.
  - (v) After obtaining the response of the concerned organisation, if the designated agency is of the opinion that the investigations reveal either mis-use of office or substantiate allegations of corruption, the designated agency shall recommend appropriate action to the concerned Government Department or Organization. These shall, *inter alia*, include following :
    - (a) Appropriate proceedings to be initiated against the concerned Government servant.
    - (b) Appropriate administrative steps for redressing the loss caused to the Government as a result of the corrupt act or mis-use of office, as the case may be.
    - (c) Recommend to the appropriate authority/agency initiation of criminal proceedings in suitable cases, if warranted by the facts and circumstances of the case.
    - (d) Recommend taking of corrective measures to prevent recurrence of such events in future.



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CERTIFICATE

It is certified that I have not made similar/identical allegation of corruption/misuse of office to any other authorities to qualify as a Whistle Blower complainant.

Signature .....

Name of the Complainant .....

Address .....

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- 136/ ← 146/c
5. For the purpose of making discreet inquiry or obtaining information from the concerned organisation, the designated agency shall be authorized to call upon the CBI or the police authorities, as considered necessary, to render all assistance to complete the investigation pursuant to the complaint received.
  6. If any person is aggrieved by any action on the ground that he is being victimized due to the fact that he had filed a complaint or disclosure, he may file an application before the designated agency seeking redress in the matter, who shall take such action, as deemed fit. The designated agency may give suitable directions to the concerned public servant or the public authority as the case may be.
  7. Either on the application of the complainant, or on the basis of the information gathered, if the designated agency is of the opinion that either the complainant or the witnesses need protection, the designated agency shall issue appropriate directions to the concerned Government authorities.
  8. The machinery evolved herein shall be in addition to the existing mechanisms in place. However, secrecy of identity shall be observed, only if the complaint is received under this machinery.
  9. In case the designated agency finds the complaint to be motivated or vexatious, the designated agency shall be at liberty to take appropriate steps.
  10. The designated agency shall not entertain or inquire into any disclosure :
    - (a) in respect of which a formal and public inquiry has been ordered under the Public Servants Inquiries Act, 1850, or
    - (b) in respect of a matter which has been referred for inquiry under the Commissions of Inquiry Act, 1952.
  11. In the event of the identity of the informant being disclosed in spite of the designated agency's directions to the contrary, the designated agency is authorized to initiate appropriate action as per extant regulations against the person or agency making such disclosure.
  12. The machinery created herein shall operate till Parliament passes a law on the subject.

SMT. MANJULIKA GAUTAM, Addl. Secy.



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY  
भाग I—खण्ड 1  
PART I—Section 1  
प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 98]  
No. 98]

नई दिल्ली, बृहस्पतिवार, अप्रैल 29, 2004/वैशाख 9, 1926  
NEW DELHI, THURSDAY, APRIL 29, 2004/VAISAKHA 9, 1926

कार्मिक, लोक-शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

राजपत्र

नई दिल्ली, 29 अप्रैल, 2004

सं. 371/12/2002-ए.पी.डी.-III.—भारत के असाधारण राजपत्र भाग-I, खण्ड 1 में दिनांक 21 अप्रैल, 2004 को प्रकाशित भारत सरकार के संकल्प संख्या 89 का आंशिक संशोधन करते हुए, उक्त संकल्प के प्रारंभिक पैरा तथा पैरा-2 में निम्नलिखित संशोधन किए जाते हैं :

(i) संकल्प के प्रारंभिक पैरा को निम्न प्रकार से प्रतिस्थापित किया जाता है :

"जबकि श्री सत्येन्द्र दुबे की हत्या के सम्बन्ध में रिट चाचिका (सी.) संख्या 539/2003 की सुनवाई करते समय, 'पर्दाफाशों या भण्डाफोड़ों (विसल ब्लोअर्स)' से प्राप्त शिकायतों पर कार्रवाई किए जाने के लिए उपयुक्त तंत्र का प्रश्न उठा"

(ii) संकल्प के अंग्रेजी पाठ के पैरा 2 में शब्द 'designateed' (डेजिगनेटीड) को शब्द 'designated' (डेजिगनेटेड) से प्रतिस्थापित किया जाता है।

श्रीमती मंजुलिका गौतम, अपर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

CORRIGENDUM

New Delhi, the 29th April, 2004

No. 371/12/2002-AVD.III.—In partial modification of the Government of India's Resolution No. 89, published in the Gazette of India Part I Section 1, Extraordinary dated 21st April, 2004, the following modifications are made in the opening para and para-2 of the said Resolution :

(i) The opening para of the Resolution is substituted as :

"Whereas while hearing Writ Petition (C) No. 539/2003 regarding the murder of Shri Satyendra Dubey, the question of a suitable machinery for acting on complaints from 'whistle-blowers' arose."

(ii) In para 2 the word "designateed" is substituted as "designated".

Smt. MANJULIKA GAUTAM, Addl. Secy.