GOA SHIPYARD LIMITED

COMPLAINT HANDLING POLICY: VIGILANCE AND OTHER RELATED COMPLAINT

This policy is in continuation with Complaint Handling Policy for Goa Shipyard Limited (GSL) issued vide CGM (HR&A) Circular no. 111 dated 17.08.2016

Vigilance Department of GSL is headed by Chief Vigilance Officer (CVO) and aided by a team of Vigilance Officers and Supervisors who execute the Vigilance function in accordance with Central Vigilance Commission (CVC) guidelines.

The Vigilance Complaint Handling Policy for GSL is being promulgated with immediate effect as follows:

A. Jurisdiction of GSL Vigilance

1. GSL Vigilance deals only with the complaint lodged against GSL employees and/or matter related to GSL.

2. GSL Vigilance has no jurisdiction over private individuals and other organizations which includes State/ Central Government, CPSEs/ SPSEs etc.

B. Lodging of Complaint and Complaint handling

1. Vigilance complaints are broadly those that pertain to obtaining illegal gratification of any kind by corrupt means or by abusing official position for self or others, possession of assets disproportionate to known sources of income, misappropriation, forgery, cheating and other complaints which falls in the domain of Vigilance angle as defined by Central Vigilance Commission

2. Complaints should be lodged directly with CVO/GSL Vigilance, in writing and can be sent by the following ways:

    a) Vigilance complaint through Vigilance Complaint Management System (VCMS) portal are preferred.
    b) Vigilance complaint on Email to gslcvo@goashipyard.com
    c) Vigilance complaint through Registered post on the following postal address:

    Chief Vigilance Officer, GSL Vigilance Department,
    Goa Shipyard Limited, Vasco Da Gama, Goa 403 802

3. Complaint should contain complete name with postal address, and mobile/telephone number of the sender.

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4. Complaint should contain specific/ factual details and verifiable information related to the matter. Complaints should not be vague or contain sweeping general allegations, which may be liable to file without action on it, as per CVC guidelines [1]. Only specific issue(s) should be raised in the complaint. Further, complainants, while forwarding their complaints to GSL/Vigilance, should mention details one by one in coherent manner so the same can be understood unambiguously.

5. Vigilance complaints, hand written, printed or photo copied, should be clearly legible. Complaint should be signed by the Complainant (if not sent through email).

6. Complaint(s) should preferably be lodged in typed or written form in English or Hindi or Marathi or Konkani (Goan) language for facilitating early action thereon. Complaints not received in Hindi or English shall first be translated to either Hindi or English and then only further action will be taken.

7. GSL Vigilance Dept. deals only with matters of corruption. Redressal of grievances will not be investigated/ dealt. Non Vigilance complaints may not be considered for necessary action.

8. Complaints related to administrative matter are not expected to be sent to CVO/ GSL, but needs to be sent to concerned Administrative Dept. for consideration and logical conclusion.

9. The complainant should lodge complaint only on issues having corruption and which is not part of any litigation in any courts, tribunals, etc. Complaint about known sub-judice matter shall be filed (no action taken).

10. Withdrawal of complaint is not permitted as per CVC. Action once initiated, the complaint will be taken to its logical conclusion irrespective of the complainant's request for withdrawal of complaint [2].

C. Action taken on complaint in GSL Vigilance

1. Vigilance complaints within the jurisdiction of GSL Vigilance Dept. will be investigated by GSL Vigilance Dept.

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[1]: CVC Circular No. 004/VGL/020 dated 01.07.2019
[2]: Vigilance Manual (Updated 2021), Chapter III, para 3.13

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2. If complaint contains verifiable allegations from vigilance point of view, GSL Vigilance Dept. will send a letter to the complainant for owning the case as a part of establishing genuinity of the complaint as per CVC guidelines. 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 after sending the reminder, if still nothing is heard, then the said complaint may be filed as pseudonymous/ anonymous without any action.

3. As per the procedure laid down by Department of Personal & Training, a copy of the complaint / gist of allegations may be shared with the employee(s) whose name(s) appear(s) in the complaint or whose role emerge(s) during investigation of the complaint.

4. The complaints will be investigated within three months' time from the date of establishing genuinity into the complaint. Based on the investigation report, disciplinary action by the concerned disciplinary authority may be initiated. In circumstances beyond obvious control, time taken for concluding the investigation may be extended on case to case basis

5. Once a complaint is registered in the GSL Vigilance Dept., no further correspondence in the matter from the complainant will be entertained. GSL Vigilance Dept. is expected to ensure that the complaints are investigated and appropriate action is taken to conclude the matter logically [3].

6. All complaints received will be registered and the complaint will be examined/investigated as per extant guidelines of CVC. Cases related to Executives at E-7 and below will be handled by CVO and findings will be submitted to the Disciplinary Authority for appropriate action. In case of Chief Executives, Executives on the Board and other officers of E-8 and above are observed to be involved during the investigation, the matter will be referred to the Administrative ministry or Central Vigilance Commission (CVC) as the case may be as per extant guidelines [4].

7. Complaint received through CVC under the "Public Interest Disclosure and Protection of Informer" resolution (PIDPI) or otherwise shall be investigated /dealt with as per CVC instructions on the matter.

8. As regard to complaint against tenders, it is clarified that GSL Vigilance would get the matter investigated for vigilance angle into the complaint. However, it would not interfere in the tendering process as such with intention to stop the work in the organization.

[3]: CVC Circular No. 004/VGL/020 dated 01.07.2019
[4]: CVC Circular No. 004/VGL/020 dated 01.07.2019

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9. Complaint covered under Integrity Pact (IP) if received will be forwarded to Independent External Monitors (IEMs) for further necessary action, as per the procedure.

D. Important to remember

1. Complainant must desist from making false complaint against public servant(s) as prosecution can be initiated against the complainant under section 182 of Indian Penal Code,1860 and under section 195(1)(a) of Code of Criminal Procedure, 1973 for lodging false complaint. In case such complainant is an employee of GSL, departmental action may also be considered against him/her[5].

2. Complaints which do not meet the above criteria will be filed. However, CVO can initiate investigations if sufficient grounds to suspect corruption or irregularities observed. If required, external agencies like Central Bureau of Investigation may be involved as per the extant guidelines. If the investigation reveals that the involved officials are at / or below GM (E7) level, the case will be generally dealt by CVO for advice to the concerned Disciplinary Authority (DA).

3. No action will be taken on anonymous/ pseudonymous complaints. Also complaints will not be entertained for action, if the complaint is not addressed directly to CVO/ GSL or addressed to multiple authorities/ agencies.

4. Complaints that are vague, frivolous or not specific in content or nature and have generic, casual, sweeping or unverifiable allegations will not be entertained/acted upon.

E. Investigation report

1. Vigilance Investigation report shall be exhaustive, relevant and structured. It may generally be mentioned of:
   - i. The source
   - ii. Gist of allegations
   - iii. Examinations and observations
   - iv. Response of the Officials/ Dept. concerned
   - v. Counter to the response (if considered necessary)
   - vi. Responsibility of Officials
   - vii. Recommendations and conclusion
   - viii. Recommendation for systemic improvement, if required

[5]: Vigilance Manual (Updated 2021), Chapter III, para 3.12

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F. Handling of Complaints against Board level officials

1. A complaint involving a Board-level appointee, whether figuring alone or in association with others, will be forwarded to the CVO of the Administrative Ministry [6]. Under no circumstances, CVO/GSL will initiate action against the Board-level appointee of the organization. The advice of the CVC will be sought in respect of all the Officials in the jurisdiction of CVC i.e. Board Level as well as Executive of level E-8 and above.

2. In cases where CVC calls for investigation and report against a Board level appointee, the CVO of the administrative ministry shall initiate investigation and furnish report to the Commission in the prescribed format.

3. If the CVO of an administrative ministry asks for a factual report against a Board level appointee from the CVO of the organisation, it will be sent after collecting the facts related to the case to CVO of the Ministry/ Department, and will endorse a copy of the report to the CMD.

G. Handling of complaint under PIDPI (Public Interest Disclosure and Protection of Informer's Resolution)

1. Learn in detail how to lodge complaint under PIDPI at "www.cvc.gov.in/pidpi.html"

2. If a complainant while exposing a case of corruption wants his identity to be kept secret, he/she should lodge a complaint under Public Interest Disclosure and Protection of Informers Resolution (PIDPIR). Commission is mandated not only to maintain the secrecy of the complainant's identity but also provide protection to the complainant against any physical threat, harassment or victimization.

3. Highlights for complaint under PIDPIR:

   a) Complaint under "Public Interest Disclosure and Protection of Informer" Resolution can be made in a sealed envelope to the Secretary, Central Vigilance Commission (CVC) by post. The envelope should be superscribed "Complaint under the Public Interest Disclosure" or "PIDPI" on top of the envelope. The complainant should refrain from giving his name on the body of the letter. The personal detail should be separately given or given at the top or end of the letter so that they can be easily blocked out. An emails or online submissions of PIDPI complaint are not accepted [7].

   b) If any person is victimised due to the fact that he had filed a complaint under the PIDPI provisions, he may file an application before the Commission seeking redressal in the matter. Commission would then intervene suitably to protect the complainant.

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[6]: Vigilance Manual (Updated 2021), Chapter III, para 3.7

[7]: CVC Circular No. 004/VGL/020 dated 01.07.2019

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c) The complainant can use the complaint number provided by the Commission to see the status of action on complaints which have been forwarded to the authorities concerned for investigation and report by clicking on the 'Complaint Status' displayed on the Commission's website – https://cvc.gov.in

d) Anonymous or pseudonymous complaints are not entertained under PIDPI. If a complaint lacks sufficient details or does not have a vigilance angle, it may be rejected.

e) In respect of those complaints which are considered fit for processing under PIDPI Resolution, a letter is sent to the complainant to establish a confirmation as to whether he / she has made the complaint or not and to seek a certificate that that he / she has not made similar /identical allegation of corruption / misuse of office to any other authorities.

f) After receiving necessary confirmation from the complainant, the complaint, it will be handled as per the PIDPI complaint handling policy of CVC and If the complaint is found to be valid, appropriate action is taken against the accused officials. However, false or frivolous complaints may lead to consequences for the complainant

H. Complaints Handling under Goa Shipyard Ltd.'s "Whistle Blower Policy":

1. Goa Shipyard Limited has a **Whistle Blower Policy** in place to allow employees of GSL to report unethical behavior, suspected fraud, or violations of the company's conduct and ethics guidelines.

2. A complaint under Whistle Blower Policy should super subscribed "Protected Disclosure". The protected Disclosure/ complaint should be attached to a letter bearing the identity of the Whistle Blower / Complainant.

3. A complaint, under Goa Shipyard Limited's Whistle Blower Policy, should be made as per the policy and the complaint should be sent to the Competent Authority, as applicable, as per the policy.

4. For further details regarding Whistle Blower Policy, please refer the policy at www.goashipyard.in

Note:
GSL Vigilance Department is committed to promote transparency, integrity, and accountability in the organization. In case of circumstances not covered under this policy or any legal amendments, the existing/ prevailing CVC/ Government guidelines will be made applicable. Further, the Competent Authority reserves the right to modify or interpret this policy to ensure compliance with the updated regulations. The decision taken by the Competent Authority in this regard will be considered as final.

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