

# **COMPLAINT HANDLING POLICY**

**Document No: NRL/VC/M/001**



**NUMALIGARH REFINERY LIMITED  
GOLAGHAT, ASSAM**

## 1.0 **INTRODUCTION**

- 1.1 The central Vigilance Commission (hereinafter referred to as CVC) vide their circular No 15/07/09 dated 01.07.2009 emphasized the need to lay down a “Complaint Handling Policy” (CHP) in all Government departments and Public Sector Organizations. Further, CVC has advised to develop an Internal Complaint Handling Policy in line with Commission’s guidelines based on Management Audit of Vigilance Unit (MAVU) conducted by CVC in NRL during October 2023. The GOI as a part of the administrative reforms has also highlighted the need to set up a Public Grievances Redress and Monitoring System for effective redressal of public grievances. This policy and procedure document is accordingly framed to guide the officials in dealing with complaints/grievances received by them.
- 1.2 NRL endeavors to work against corruption in all its forms, including demanding and accepting bribes, illegal gratification or unjust rewards. The company has zero tolerance approach towards any form of corruption.
- 1.3 The responsibility of ensuring probity, fairness and transparency in an organization vest with the Chief Executive, i.e. the CMD/MD of a PSU. A responsibility is cast on the Chief Executive who heads the organization to set the right tone from the top management to ensure that the guilty are punished swiftly and innocents are protected from harassment.
- 1.4 The Complaint Handling Policy is designed to provide guidance for receipt, handling and processing of all types of complaints/grievances from public and other stakeholders such as contractors, vendors, suppliers etc.
- 1.5 This policy has been designed in line with the guidelines / instructions issued by Government of India and Central Vigilance Commission (CVC) from time to time.

## 2.0 **OBJECTIVE**

- 2.1 To receive complaints/grievance about corruption, malpractices or misconduct by public servants in a defined centralized location.
- 2.2 To effectively and expeditiously address complaints and grievances from public and other stakeholders such as contractors, vendors, suppliers etc.
- 2.3 This policy also allows the employee to report to the management about instances of unethical behavior, actual or suspected fraud or violations of the company’s CDA rules. The policy neither release employees from their duty of confidentiality in the course of their work, nor is it a route

for taking up grievances about a personal situation for an employee.

- 2.4 To ensure that all complaints having a vigilance angle are forwarded to the CVO's office for further action as per CVC guidelines.
- 2.5 To ensure uniformity in practice to deal with complaints /grievances.
- 2.6 To ensure transparency in all dealings and to plug any loopholes/malpractices in the system.
- 2.7 To bring such a policy and procedure and make it available in the public domain for easy accessibility.

### 3.0 **PHILOSOPHY OF COMPLAINT HANDLING**

- 3.1 Complaints/Grievances are addressed in an equitable, objective and unbiased manner in line with the Complaint Handling Policy.
- 3.2 Information regarding personal identity etc. of complainants shall not be disclosed, if so desired by the complainant.
- 3.3 The Vigilance department will ensure that the complaints are addressed transparently and fairly within the specified/reasonable time frame.
- 3.4 Based on the outcome received, the company shall initiate necessary action for systemic improvements.
- 3.5 Any complaint/grievance received in the department by any functionary containing any element of alleged corruption, malpractices or misconduct etc., should necessarily be sent to CVO's office for scrutiny and action.

### 4.0 **COMPLAINTS**

A Vigilance-complaint is a piece of statement or information from various sources containing details about offences i.e. corruption, malpractices or misconduct alleged to have been committed in violation of provisions of Conduct, Discipline and Appeal (CDA) Rules or Standing Orders governing employees of NRL and in violation of provisions of Prevention of Corruption Act (PC Act), 1988 and having Vigilance angle.

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

## 5.0 JURISDICTION OF THE VIGILANCE DEPARTMENT

Complaints/grievances can be lodged only against employees of NRL, or matters relating to the company. The Vigilance department has no jurisdiction over private individuals and other Government Organizations.

## 6.0 SOURCES OF COMPLAINT

6.1 Information about fraud, corruption, malpractice or misconduct on the part of employees, suppliers/contractors, other stakeholders etc. may be received from any of the following or other sources:

- (i) Complaints received directly from employee (s) of the company and other stakeholders or the public.
- (ii) Received from Central Vigilance Commission (CVC) for Necessary action (NA) or I&R (Investigate and Report).
- (iii) Departmental inspection reports, stock verification report and report of irregularities in accounts detected during routine audit of accounts
- (iv) Scrutiny of Annual Property Returns (APR).
- (v) Reports of Parliamentary committees and proceedings of the Houses of Parliament.
- (vi) Complaints and allegations appearing in the print and electronic media.
- (vii) Audit reports (internal, statutory or by Comptroller & Auditor General).
- (viii) Intelligence gathered by agencies like Central Bureau of Investigation (CBI), Anti-Corruption Bureau (ACB), Lokayuktas etc.

6.2 In addition, CVO may also devise and adopt such methods, as considered appropriate and fruitful in the context of nature of work handled in the company, for collecting information about any malpractice and misconduct among the employees. Similarly, CVO can also scrutinize the news items relevant to the company on a continuous basis to check whether any cases of corruption are revealed in them.

6.3 **Complaints may also be received from or forwarded by:**

- (i) Central Vigilance Commission made under Public Interest Disclosure & Protection of Informer (PIDPI complaints) resolution.
- (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.

## 7.0 **GUIDELINES FOR LODGING A COMPLAINT**

- 7.1 Complaint should be pertaining to employees of NRL or the suppliers, contractors, associates etc. falling within the jurisdiction of CVO, NRL.
- 7.2 Complaints sent through written communication/letter should contain the name and personal details, complete postal address (mobile/telephone number, if any) of the sender with specific details/information of the issue/matter. This is required for obtaining confirmation from the complainant.
- 7.3 The complainant should sign the complaint.
- 7.4 Complaints lodged with the Vigilance department should be genuine and not malicious, vexatious or frivolous and should be based on verifiable facts. They should not be vague or contain sweeping general statements.
- 7.5 As the Vigilance department deals only the matters of corruption, redressal of grievances should not be the focus of the complaints. The matter related to redressal of grievances will be referred to the concerned administrative authority for necessary action at their end.
- 7.6 A complaint should preferably be lodged in typed or written form in English or Hindi language for facilitating early action thereon.
- 7.7 Complaint should only be filed either online (website) or by post to the address of CVO. Complaints sent through E-mails are not entertained.
- 7.8 Complaints should not be anonymous or pseudonymous.
- 7.9 Complaints should be specific with adequate evidence. The complaints should not be biased or based on any personal grievances.
- 7.10 The complainants are advised not to continue lodging complaint on the same subject more than once.
- 7.11 Normally one specific issue should be raised in one complaint. However, if more than one specific issue is there, it is better to raise the same in a separate complaint. Further, complainant while forwarding their complaint to CVO should mention the details one by one in a coherent manner so that the same can be understood unambiguously.
- 7.12 All types of complaints, even if printed or photocopied, should be clearly legible.
- 7.13 The complainants 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.

- 7.14 If a complaint against a public servant is found to be malicious, vexatious or unfounded, actions against the complainant may be initiated for making false complaint. “The complainant is liable for action under section 182 of Indian Penal Code, 1860 and under /section 195(1)(A) of Code of Criminal Procedure 1973. In such case, where the complainant is an employee of the company, departmental action may also be considered against him or her as an alternative to prosecution.
- 7.15 Complainants who want to keep their identity confidential should file complaint under the provisions of Public Interest Disclosure and Protection of Informer (PIDPI) resolution. CVC is the designated agency for receiving PIDPI complaints.
- 7.16 In the matter of complaint related to tenders, while the Vigilance department may get the matter investigated, it would not generally interfere in the tendering process.
- 7.17 Once a complaint is registered in the office of CVO, further correspondence in the matter will not be entertained.
- 7.18 Withdrawal of complain will not be permitted. Action once initiated, the complaint will be taken to its logical conclusion irrespective of complainant’s request for withdrawal of the complaint.

## 8.0 **PROCEDURE FOR LODGING A COMPLAINT**

- 8.1 Complaint can be lodged, giving specific facts/information containing details about offences alleged to have been committed under the PC Act 1988 or malpractice/ misconduct under CDA Rules having Vigilance angle, by addressing the written communication letter directly to:
- (i) CVO NRL at “ Chief Vigilance Officer; Vigilance department, Numaligarh Refinery Ltd; 122A, G.S. Road; Christianbasti; Guwahati-781005”.
  - (ii) Complaints preferably be lodged online on NRL Website <https://www.nrl.co.in> under the link “ Lodge Complaint” which is available on home page under the CORPORATE - >VIGILANCE. The direct link <https://portal2.nrl.co.in/ComplaintDisposalPortal/> can be used to lodge the Complaints.
  - (iii) Complaints can also be lodged by addressing the written communication/letter directly to the Commission or through the Commission’s website <https://cvc.gov.in> under the link “Lodge Complaint” on home page.

## 8.2 **Lodging of Complaints under PIDPI:**

Complaint under "Public Interest Disclosure and Protection of Informer" Resolution can be made only by post. Secretary CVC & CVO of the Administrative Ministry (i.e. Ministry of Petroleum

and Natural Gas, GoI.) are the designated agency for receiving PIDPI complaints. The envelope should be super scribed “PIDPI”. The complainant should refrain from giving his name on the body of the letter. The personal details should be separately given or given at the top or end of the letter so that they can be easily blocked out.

### 8.3 Lodging of Complaints and Grievances of administrative nature:

Complaints/Grievance of administrative nature may be addressed to the following Nodal officials of NRL based on the location. The Nodal officers will ensure that the complaints are addressed transparently and fairly within the specified/reasonable time frame.

| Sl No | Location  | Name and Designation of Nodal Officer | Contact Nos             | Address                     | Email Id                      |
|-------|---|---------------------------------------|-------------------------|-----------------------------|-------------------------------|
| 1     | Numaligarh Refinery Site  | CGM (HR & Legal)                      | 03774-265411/<br>266350 | Numaligarh Refinery Complex | kajal.saikia@nrl.co.in        |
| 2     | Corporate Office -Guwahati, Co-ordination Office at Delhi and Kolkata         | CGM(Corporate Affairs)                | 6000156023              | Corporate Office - Guwahati | nalini.k.buragohain@nrl.co.in |
| 3     | Siliguri Marketing Terminal, Pipeline Project Office at Paradip and Vardhaman | GM(SMT)                               | 9435152045              | Siliguri Marketing Terminal | sujit.das@nrl.co.in           |

Handling of Grievances/Complaints by Nodal Officers:

- (i) A senior officer not less than grade “G” will be designated as the Nodal Officer.
- (ii) Complaints lodged against any official/employee/vendor or against company policy/system and procedure etc. received by any functionary in any department/office of the company will forward the same to the designated Nodal Officer in the respective location of the company.
- (iii) The Nodal Officer will scrutinize the grievances /complaints and if any complaint is having vigilance angle (containing information about corruption, malpractices or misconduct etc.), it shall be forwarded to the office of the CVO /Vigilance department for necessary action as per CVC guidelines. The complaint forwarded to CVO shall also include those which are anonymous/pseudonymous containing information about corruption, malpractices or misconduct etc.
- (iv) Other complaints shall be forwarded to the concerned administrative authority/Functional

Head for appropriate action where no vigilance angle is observed, in such complaint.

- (v) All the complaints received by Nodal Officers will be duly recorded in a register. An acknowledgement will be issued by the Nodal Officer to the complainant (unless the complaint is anonymous or pseudonymous).

## 9.0 ACTION ON COMPLAINTS

- 9.1 All complaints received will be registered and Vigilance department will ensure that the complaint is examined/ investigated and taken to its logical conclusion as per extant guidelines of CVC. Correspondence in the matter regarding the outcome of the complaint will not be entertained.
- 9.2 Verification (Owning/Disowning) of the complaint shall be done for complaints taken up for investigation. In case confirmation is not received from the complainant, the complaint will be treated as a pseudonymous complaint and filed without further action in the matter.
- 9.3 The 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.
- 9.4 Complaint received through CVC under the “Public Interest Disclosure and Protection of Informer” resolution (PIDPI) or otherwise shall be investigated /dealt with as per instructions from CVC.
- 9.5 Complaint covered under Integrity Pact (IP) will be forwarded to Independent External Monitors (IEMs) for further necessary action.

## 10.0 SCRUTINY OF COMPLAINTS

The following categorized action shall be taken upon receipt of any Complaint/Grievance:

**a) Complaints that will not be entertained or acted upon by CVO/Vigilance department:**

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

- Where allegations are administrative in nature such as those relating to transfer, posting, recruitment, suspension or traveling allowance; unless there is the involvement of a vigilance angle relating to the alleged commission of offenses under the Prevention of Corruption Act, 1988 / misconduct under CDA Rules.
- Which are anonymous or pseudonymous.

- The unsigned complaints received by post which do not have any authenticity.
- Which are vague, frivolous or not specific in content or nature.
- Which contain matters that are sub-judice before any competent Court or Tribunal or Authority.
- 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.
- Which are not against the category of public servants as specified under such section (2) of section 8 of the Act and the notification issued thereunder.
- Which are illegible.

**b) Complaints/Grievances of administrative nature received by the Nodal Officer:**

Complaints/Grievances of administrative nature which are received by the Nodal Officers, shall be passed on to the concerned administrative authority/functional head for appropriate action where no vigilance angle is involved, in such complaint.

*\* Vigilance department may audit the complaints received by the Nodal officers from time to time to ensure that all complaints having vigilance angle are duly forwarded to the office of CVO.*

**c) Processing of complaints having Vigilance angle:**

- All complaints received will be registered and Vigilance department will ensure that the complaints are examined/investigated and taken to its logical conclusion extent guidelines of CVC.
- In case of a PIDPI complaint forwarded by the CVC, an investigation shall be immediately carried out without verification (owning/disowning) and the investigation report will be submitted to the CVC within 12 weeks.
- The complaint may be forwarded to the Administrative Ministry (MoPNG) wherever the role of Board Level Officials has been alleged.
- The Vigilance officer will carry out a preliminary investigation and prepare a Factual Report based on available documents.
- On receipt of any complaint containing allegations against any tender in the 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

Head of commercial, Tender Evaluation Committee, Negotiation Committee, Tender Accepting Authority etc. The complaint will be taken up for investigation independently.

- Complaints relating to incidents that are more than 5 years old and where no action has been taken till then, should not be processed. However, the limit of 5 years will not apply to cases of fraud and other criminal offenses.

**d) Complaints/Grievances having vigilance angle received by the Nodal Officer:**

Complaints/Grievances received by the Nodal Officer, having Vigilance angle, shall be forwarded to the office of the CVO/Vigilance department for necessary action as per extent guidelines of CVC.

**e) Complaints/Grievances under Integrity Pact (IP):**

Complaints/Grievances covered under Integrity Pact (IP) will be forwarded to Independent External Monitors (IEMs) for further necessary action.

## 11.0 DISPOSAL OF COMPLAINTS

### **Disposal of Complaint/Grievances of administrative nature:**

- The administrative authority/functional head shall ensure that the receipts of all Complaints/Grievances are acknowledged to the concerned Nodal Officer. It shall be ensured that the Complaints/Grievances are investigated in a time bound manner and taken to their logical conclusion. The administrative authority will periodically monitor the progress of the investigation/disposal of the complaint. A factual report is to be prepared which should mention the complaint reference, allegations made in the complaint, findings, observation on the merits of the complaint along with the recommendations (if any) and the conclusion.
- The concerned administrative authority/HOD shall mark a copy of the factual report and the reply/action taken to the Nodal Officer.

## 12.0 MODIFICATION /AMENDMENT

The above policy will be subject to review and amendment from time to time as per CVC/Govt directives etc.

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