

PIDPI RESOLUTION

Background

Shri Satyendra Dubey was an Indian Engineering Service (IES) officer. He was the Project Director in the National Highways Authority of India (NHAI) at Koderma. On 27th November 2003, he was murdered in Gaya, Bihar for fighting against corruption in the Golden Quadrilateral highway construction project. The news ignited tremendous public hue and cry and the matter was raised in Parliament. In 2004, in response to a Writ Petition (Civil) No. 539/2003 filed after the murder of Shri Satyendra Dubey, the Supreme Court directed that a machinery be put in place for acting on complaints from whistle blowers till a law is enacted.

Pursuant to that, the Govt of India vide Gazette Notification No. 371/12/2002-AVD- III dated 21.04.2004 r/w Corrigendum dated 29.04.2004 notified the Public Interest Disclosure and Protection of Informers Resolution (PIDPI), 2004 which gave the powers to the Central Vigilance Commission to act on complaints from whistle-blowers.

The PIDPI Resolution has the following main provisions

- Government of India vide its “**Public Interest Disclosure and Protection of Informer’s Resolution (Whistle Blowers Resolution)**” has designated CVC to receive a written complaints for disclosure on any allegation of corruption or misuse of office pertaining of any employee of the Central Government or any Corporation, Government Companies, Societies or Local Authorities etc. owned or controlled by the Central Government.
- Any complaint under this resolution may be made to “**The Secretary, Central Vigilance Commission, Satarkata Bhawan, GPO Complex, Block-A, INA, New Delhi-110023**” in closed/secured envelope, superscribed as “**Complaint under the Public Interest Disclosure**”. The identity of the complainant kept secret and complainant is also protected from victimization for making complaint under PIDPI Resolution.
- Any public servant or a person including an NGO can make written disclosure to the designated agency except those referred in clauses (a) to (d) of Article 33 of Constitution.
- The identity of the complainant will not be revealed unless the complainant himself has disclosed his identity.
- The Head of the Department / Organisation to keep the identity of informant secret if he comes to know about it.

- The designated agency may call the comments /explanation of the Head of Department/ Organisation on the disclosure made.
- The designated agency may seek the assistance of CBI or the police authorities to complete the investigation pursuant to the complaint received.

PIDPI Resolution (Amendment)

- Subsequent to the Resolution of 2004, the DoPT vide Notification No.371/4/2013-AVD.III dated 14.08.2013 partially amended the PIDPI Resolution.
- The amendment, inter alia, authorised the **Chief Vigilance Officer of the Ministries or Departments of Government of India** to act as the “**Designated Authority**” to receive written complaint under PIDPI Resolution. The Central Vigilance Commission (CVC) shall supervise and monitor the complaints received by the designated authority.

Guidelines for lodging PIDPI Complaint

Any complaint, which is to be made under this resolution, should comply with the following aspects;

1. The PIDPI complaint should be in a **closed/secured envelope**.
2. The envelope should be addressed to Secretary, Central Vigilance Commission. The envelope should clearly be inscribed with “**Complaint under the Public Interest Disclosure**” or “**PIDPI**”. If the envelope is not superscribed and closed, it will not be possible for the Commission to protect the complainant under the above resolution and the complaint will be dealt with as per the normal complaint policy of the Commission. The complainant should give his/her name and address in the beginning or end of complaint or in an attached letter. The name and address should NOT be mentioned on the envelope.
3. Commission will **not entertain anonymous/pseudonymous** complaints
4. The text of the complaint should be carefully drafted so as **not to give any details or clue as to his/her identity**. However, the details of the complaint should be specific and verifiable.
5. In order to protect identity of the person, the Commission will not issue any acknowledgement and the whistle-blowers are **advised not to enter into any further correspondence** with the Commission in their own interest. The Commission assures that, subject to the facts of the case being verifiable, it will take the necessary action, as provided under the Government of India Resolution mentioned above. If any further clarification is required, the commission will get in touch with the complainant.

6. The Commission can also take action **against complainants making motivated/vexatious complaints** under this resolution.
7. Only complaints pertaining to employees 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 fall under the jurisdiction of the Commission. **Personnel employed by the State Governments and activities of the State Governments or its Corporations etc. will not come under the purview of the Commission**
8. Complaints should be sent via post only. Complaints received through emails, Complaint Management Portal or any other electronic medium will not be entertained
9. The complaints should have vigilance angle and should not be for grievance redressal
10. PIDPI complaints should not include details that identify the complainant. If the inclusion of such details is unavoidable then a normal complaint may be lodged in the CVC portal.
11. Previous circulars and letters on PIDPI are available on the website of the Commission and may be referred to for further details.

Protection to Whistle Blowers

- If the informant feels he is being victimized, he may make an application before the designated agency seeking redress in the matter. The designated agency may give suitable directions to the concerned public servant or the public authority as the case may be.
- Either on the application of the complainant, or on the basis of the information gathered, if the designated agency of the opinion that either the complainant or the witnesses need protection, the designated agency shall issue appropriate directions to the concerned Government authorities.
- 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.
- As regards protection against victimisation or harassment within the Department, the Commission forwards such complaints of Whistle Blowers to the CVO of the concerned organisation for appropriate action.

For more details visit <https://cvc.gov.in>