



General Insurance Corporation of India

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## **GIC RE - COMPLAINT HANDLING POLICY - 2023**

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## **1.0 Introduction :**

This Complaint Handling Policy is approved by the Board of the General Insurance Corporation of India (hereinafter referred to as GIC Re or the Corporation) and shall apply to all manners of complaints received by any office of GIC Re. This policy shall come into force with immediate effect. The Board authorizes the Chairman and Managing Director of GIC Re to effect any changes in this policy in keeping with the guidelines/orders issued from time to time by the Central Vigilance Commission (CVC) or by the Government of India. All such changes shall be brought to the notice of the board in the next meeting.

- 1.1** GIC Re believes in the highest level of personal and institutional integrity. Integrity and Transparency are among the core values of the Corporation. The Corporation has a zero- tolerance approach towards any form of corruption.
- 1.2** The Complaint Handling Policy (hereinafter referred to as the CHP) is designed to provide guidance on the manner in which GIC Re receives and handles complaints against its employees, suppliers / contractors, brokers, and vendors etc.
- 1.3** The objective of the Policy is to assist the Management and the public in handling of complaints in an efficient, effective and professional manner wherein every possible step is taken to ensure that instances of misconduct do not escape scrutiny and action, while at the same time, the morale of the employees is not adversely affected by complaints of trivial nature.
- 1.4** This policy has been designed in line with the guidelines /instructions issued by Government of India and CVC from time to time.
- 1.5** The Complaint Handling Policy shall be available on the GIC Re website to make it readily accessible to all stakeholders and the public.
- 1.6** Each complaint shall be addressed in an equitable, objective and unbiased manner within the specified/reasonable time frame and in line with the Complaint Handling Policy.
- 1.7** Information regarding personal identity etc. of complainants shall not be disclosed, if so desired by the complainant.
- 1.8** Based on the feedback received through complaints, the Corporation shall initiate necessary action for systemic improvements, if found necessary.
- 1.9** If any provision of this policy is in contravention of provisions of The General Insurance (Conduct, Discipline and Appeal) Rules, 2014 (The GI CDA Rules), then the GI (CDA) Rules, 2014 as amended upto date would prevail.

## **2.0 Sources of complaints:**

Information about fraud, corruption, malpractice, or misconduct on the part of GIC Re employees (including its directors, officers) . may be received in the form of complaint from or through any of the following or other sources:

- (i) Complaints received from employees of GIC Re
- (ii) Audit/Inspection Reports (internal, statutory or by Comptroller & Auditor General)
- (iii) Scrutiny of Annual Property returns statements
- (iv) Scrutiny of Transactions reported under the CDA rules
- (v) Complaints received through CVC and Central Bureau of Investigation (CBI) or other government agencies.
- (vi) Parliamentary Committee reports/ Parliamentary Questions
- (vii) Complaints and allegations appearing in print and electronic Media reports
- (viii) Vigilance surveillance checks
- (ix) The public
- (x) Intelligence gathering by Vigilance department at GIC Re. Departmental inspection reports, reports of irregularities detected during routine audit of accounts.
- (xi) Source information, etc.

## **3.0 Lodging a complaint:**

Complaints can be lodged in GIC Re by addressing a written communication/letter directly to the Chairman and Managing Director, Chairman (Ethics Committee of the Board), Chairman (Audit Committee of the Board), the Head of the Department concerned or the Chief Vigilance Officer (CVO) at their office address. Complaints may also be lodged through e-mail to these officials([cmd@gicre.in](mailto:cmd@gicre.in); [cvo@gicre.in](mailto:cvo@gicre.in)). Official and e-mail addresses are available on GIC Re's website [www.gicre.in](http://www.gicre.in). Written complaints may also be handed in person to the designated officials at GIC Re.

Complaints under Public Interest Disclosure and Protection of Informer (PIDPI) can be made only by post, directly to the CVC or CVO of the concerned Ministry or Department. The PIDPI policy and notice may be referred to for details, which is available on GIC Re's website [www.gicre.in](http://www.gicre.in).

#### **4.0 Types of complaints:**

All complaints received may be classified as under:

- 4.1 Complaints under Public Interest Disclosure and Protection of Informer (PIDPI).
- 4.2 Complaints not having a Vigilance Angle
- 4.3 Complaints having a Vigilance Angle
- 4.4 Others

#### **5.0 Processing of PIDPI complaints:**

CVC or CVO of the concerned Ministry or Department (CVO) is the designated agency for receiving Public Interest Disclosure and Protection of Informer (PIDPI) complaints. Such complaints are made to the CVC or the CVO in the manner as prescribed by the Commission. These are complaints wherein the identity of the complainant is kept confidential and the CVC or the CVO forwards only the details of the complaint as 'source complaint'. The identity of the complainant is not revealed so as to ensure that the complainant is not victimized. The envelope should be super scribed 'PIDPI' or 'Whistle Blower'. PIDPI complaints forwarded by the CVC or the CVO shall be investigated immediately since the investigation report is to be submitted to the CVC or the CVO within twelve weeks.

#### **6.0 Processing of 'Non-Vigilance' and 'Other' Complaints:**

Complaints, which relate to purely administrative matters or technical lapses, such as late attendance, disobedience, insubordination, lack of supervision or minor operational or technical irregularities, etc. which do not exhibit a vigilance angle shall be treated separately under "non-vigilance complaints". Other Complaints where only private vendors, brokers, contractors etc. i.e., other than employees or officers of GIC Re are involved, which do not exhibit a vigilance angle do not come under the purview of CVC. However, if such a complaint also involves an employee/ officer of GIC Re, it shall be dealt with by the Vigilance department at GIC Re who shall examine and scrutinize the contents of the complaint to take further necessary steps.

- 6.1 Such complaints would be handled by a designated Complaints Handling Officer (CHO) in the Human Resource Department who shall maintain a separate register called General (Non-Vigilance) & Other Complaints Register for the purpose. (Annexure I)

- 6.2 Any department other than the Vigilance department receiving a Complaint must put up the same before the Committee of General Managers authorized for this purpose, who will examine whether the complaint has a vigilance angle or not. It will be accordingly disposed of by the Committee in consultation with Chairman and Managing Director either by referring to CVO or CHO for further action. However, if the complaint is against a GM, then the decision will be taken by Chairman and Managing Director and will be disposed of in similar manner.
- 6.3 The CHO should enter the brief details of the complaint in the register along with date stamp chronologically and then forward the same to the concerned HOD (GM of the department) as decided by the Head of the HR Department (GM – CHRO), for necessary action including systematic improvements, if any are indicated. The HOD – HR, (GM – CHRO) shall monitor the disposal of such complaints.
- 6.4 In case the complaint contains vague, general and/or prima facie unverifiable allegations, no action needs to be taken and the complaint should be simply filed.

## **7.0 Definition of Vigilance angle:**

Vigilance angle is obvious in the following acts:

- (i) Demanding and/or accepting gratification other than legal remuneration in respect of an official act or for using his/her influence with any other official.
- (ii) Obtaining valuable things, without consideration or with inadequate consideration from a person with whom he/she has or likely to have official dealings or his subordinates have official dealings or where he/she can exert influence.
- (iii) Obtaining for himself or for any other person any valuable thing or pecuniary by corrupt or illegal means or by abusing his position as a public servant.
- (iv) Possession of assets disproportionate to his/her known source of income.
- (v) Cases of misappropriation, forgery or cheating or other similar criminal offences.
- (vi) There are, however, other irregularities where circumstances will have to be weighed carefully to take a view whether the officer's integrity is in doubt. Gross or willful negligence; recklessness in decision making; blatant violations of systems and procedures; exercise of discretion in excess, where no ostensible/public interest is evident; failure to keep the controlling authority/superiors informed in the time- these are some of the irregularities where the disciplinary authority with the help of the CVO should carefully study the case and weigh the circumstances to come to a conclusion whether there is reasonable ground to doubt

the integrity of the officer concerned.

- (vii) Also, any undue/unjustified delay in the disposal of a case, perceived after considering all relevant factors, would reinforce a conclusion as to presence of Vigilance angle.

Commercial risk- taking forms part of business. Therefore, every loss caused to the organization, either in pecuniary or non- pecuniary terms, need not necessarily become the subject matter of a Vigilance inquiry. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations and instruction, would have taken the decision in the prevailing circumstances in the commercial/operational interests of the organization is one possible criterion for determining the bona fides of the case. A positive response to this question may indicate the existence of bona-fides. A negative reply, on the other hand, might indicate their absence.

## **8.0 Complaints having Vigilance Angle:**

- 8.1 Identifiable or signed complaints: These are complaints wherein the identity of the complainant is mentioned by virtue of name, contact details etc. Further, the complainant owns and confirms the details mentioned in the complaint, if and when he/she is contacted at the address/contact no. mentioned in the complaint.
- 8.2 Pseudonymous complaints: These are complaints wherein the identity of the complainant is mentioned by virtue of name, contact details etc. However, when the signatory of the complaint is contacted at the address/contact no. Mentioned in the complaint, the complaint is either disowned or there is no response within a reasonable time.
- 8.3 Anonymous Complaints: These are complaints where the complainant has not revealed any verifiable or traceable or contactable identity while making the complaint. No action is required to be taken on anonymous complaints irrespective of the nature of the allegations and such complaints need to be filed.
- 8.4 Source information: Source information received verbally from an Identifiable source.
- 8.5 Media Reports: Allegations or issues raised in the print or electronic media.
- 8.6 Whistle Blower Complaints: Complaints received under the Corporation's "Whistle Blower Policy" shall be dealt with as per the guidelines stated in the same. The policy is available for viewing on the GIC Re website.

## **9.0 Processing of Vigilance Complaints:**

- 9.1 Acknowledgement of complaints: - No acknowledgement of complaints received need to be issued. Complaints received by any office/ desk of GIC Re must be duly date stamped and sent to the Vigilance Department immediately. If it is found that it is not a vigilance complaint, it shall be referred to the Chairman and Managing Director's Secretariate for further necessary action.
- 9.2 Anonymous and Pseudonymous Complaints:
- 9.2.1 No action is required to be taken on anonymous complaints, irrespective of the nature of allegations and such complaints shall be simply filed .
- 9.2.2 Complaints containing vague, frivolous, non-specific allegations can be filed without verification of identity of the complainant.
- 9.2.3 If a complaint contains verifiable allegations, it may be taken cognizance of with the approval of the Chairman and Managing Director. In such cases, the complaint will be first sent to the complainant for owning/disowning as the case may be. If no response is received from the complainant within 15 days of sending the complaint, a reminder will be sent to him/her giving another opportunity. In case of no response after 15 days of reminder, the complaint may be filed as pseudonymous.
- 9.3 Source information: The complaint shall be reduced to writing, treated as a signed complaint and processed as mentioned in the policy.
- 9.4 Complaints referred by the CVC:
- 9.4.1 In case, the complaint does not attract vigilance angle, or the issue is of petty nature, the CVC forwards such complaints for necessary action, to redress the grievances of the complainant. The action taken report on these complaints is not required to be sent to the CVC for further advice, until and unless something more serious is brought out subsequently. In such cases, the complaint is to be referred to GM (HR) for further action.
- 9.4.2 Wherever the CVC calls for 'action and report' on a complaint, it is treated as a signed complaint though on the face of the complaint, it may be anonymous / pseudonymous. A report has to be submitted to the CVC in such cases for obtaining necessary advice from the CVC.
- 9.4.3 Wherever, the CVC calls for 'investigation and report' on a Complaint, the reports of the investigation should normally be sent to the CVC. However, after the investigation, if it is found that the officials involved in the case do not fall under the jurisdiction of the CVC the case need not be referred to the CVC and may be dealt with by the CVO. In such cases, action taken by the



CVO may be intimated to the CVC in order to monitor compliance. This dispensation does not apply to PIDPI complaints forwarded by them.

**9.5 Complaints on the tender process:**

On receipt of any complaint containing allegations against any tender in 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 Purchase Committee, Tender Committee, Negotiation Committee etc. The complaint should be processed independently after final decision is taken by the Tender / Purchase Committee and / or the Competent Authority.

**9.6 Media Reports:** These will need to be examined for factual information and the Chairman and Managing Director in consultation with the CVO may decide on the course of action, on a case-to-case basis.

**9.7** Generally, complaints relating to incidents which are more than 5 years old and where no action has been taken till then, should not be processed. This limit of 5 years will not apply to cases of fraud and other serious offences where the Chairman and Managing Director in consultation with CVO may decide on the course of action.

**10.0 Action on complaints under the purview of the Administrative Ministry:**

10.1 Where complaints against Boards Level Officials are received, the same shall be forwarded to the CVO of the controlling Ministry/ Department of G.O.I. and further action would be taken as per their advice.

**11.0 Complaint Register:**

11.1 The Vigilance Department will maintain vigilance complaint registers in the formats prescribed by the CVC.

11.2 The HR Department will maintain a General (non-vigilance) & Other Complaints Register, as per Annexure I. The GM – HR (CHRO) shall put up a monthly report to the Chairman and Managing Director on the position of outstanding complaints.

**12.0 Time frame for Investigation:**

**12.1 For Non-Vigilance cases**

All Non-Vigilance cases registered must be investigated immediately and the Investigating Officer appointed by the Chairman and Managing Director /GM(HR) (CHRO) for the purpose must submit his/her report to the Chairman and Managing Director /GM(HR) not later than one month from being assigned the work.

Cases reported up to the level of Scale V officers will be dealt with by GM (HR) (CHRO) including the appointment of an officer for investigation and for the cases relating to Scale VI & VII officers, Chairman and Managing Director will appoint an investigator to find the factual position & disposal thereof.

#### 12.2 For Vigilance cases:

The investigation must be conducted and report submitted within 3 months of receipt of the complaint. CVC guidelines issued in this regard, would be followed. However, complaints relating to the Technical Nature of issues, CVO may consider to obtain an opinion from some domain expert before proceeding with investigation.

### **13.0 Action against persons making false complaints:**

13.1 A person making false complaints is liable for prosecution and/or disciplinary action, in case he/she is a public servant /employee of GIC Re. Section 182 IPC provides for prosecution of a person making a false complaint. Therefore, if a complaint against a public servant is found to be malicious, vexatious or unfounded, serious action should be considered against the complainant. As per Section 182 IPC:

Whoever gives to any public servant any information which he knows or believes to be false intending thereby to cause, or knowing it to be likely that he will thereby cause, such public servant -

- a) To do or omit anything which such public servant ought to do or omit if the true state of facts respecting which such information is given were known by him or;
- b) To use the lawful power of such public servant to the injury or annoyance of any person; is punishable with imprisonment upto six months, or with fine or with both.

13.2 The law also provides for prosecution of a person making a false complaint by the public servant to whom the false complaint was made or by some other public servant to whom he is subordinate.

If such a complainant is a public servant, it may also be considered whether departmental action should be taken against him as an alternative or in addition to prosecution.

#### 14.0 Withdrawal of complaints by complainant

Once a Complainant confirms the complaint and investigation has been initiated, it is not permissible to withdraw/stop the investigation, even if the complainant requests for withdrawal or for stopping the investigation. The allegations contained on the complaint have to be taken to their logical conclusion, once investigation has started.

#### References

Page No	Paragraph	Ref:
4	2.0	Clause 3.2.1 of Chapter-III of CVC Vigilance Manual
4	3.0	CVC circular no. 14/6/09 dated 5th June, 2009
5	4.0	CVC Office Order No. 38/6/2004 dated 8th June, 2004
5	5.0	CVC Office Order No. 12/09/18 dated 28.09.2018
5	6.0	Clause 3.4.3 of Chapter-III of CVC Vigilance Manual
6	7.0	Clause 1.6.1 of Chapter I of CVC Vigilance Manual
7	8.0	Clause 3.4.3, 3.6 & 3.7 of Chapter-III of CVC Vigilance Manual
8	9.0	CVC office Order No. 57/8/04 dated 31st August, 2004 & CVC office order no. 25/7/06 dated 6th July, 2006
8	9.2	Clause 3.8.1 & 3.8.2 of Chapter-III of CVC Vigilance Manual 2005, and 006/VGL/065 dated 6th July, 2006
8	9.4	CVC office order no. 16/03/04 dated 1st April, 2004
9	10.0	CVC Office Order No. 25/4/05 dated 29th April, 2005 and 25/7/06 dated 6th July, 2006
10	13.0	Clause 26 of the Special Chapter on Vigilance Management in PSEs
11	14.0	3.13 Chapter III of Vigilance Manual (updated 2021)

The above circulars can be downloaded from the link [www.cvc.gov.in](http://www.cvc.gov.in)

## Annexure I

**Register for Non-Vigilance & Other Complaints-For the Month of \_\_\_\_\_**

Sr. No	Date	Complaint received from	Brief description of Complaint	Marked for Action to	Report received on	Remarks

Complaints Handling Officer