

NO.3(v)/99/7
Central Vigilance Commission

Satarkta Bhavan, Block "A
GPO Complex, I.N.A.
New Delhi -110023
Dated the 6th September 1999

Subject:- Improving vigilance administration- Reducing delays in Departmental Inquiries.

Prolonged departmental inquiries not only delay justice to the honest persons but also help the guilty to breath freely. The Central Vigilance Commission issued an instruction in this regard vide No.8 (1)(g)/99(3) dated the 3rd March, 1999 thereby stipulating a model time schedule for conducting departmental inquiries. In order to eliminate the delays in the departmental inquiries, by virtue of the powers vested in the CVC under para 3(v) of the Ministry of Personnel, Public Grievances & Pension, Department of Personnel and Training Resolution No.371/20/99-AVD.III dated the 4th April, 1999, the Commission issues the following guidelines after having identified some of the reasons for delay in the departmental inquiries:-

1.1 **Certified photocopies of documents**

As per the extant instructions, while the CBI can pursue the prosecution cases in the Courts, simultaneously departmental inquiries can also be held. In order to ensure that the critical documents needed in the departmental inquiries are made available, the responsibility has been put on the CBI to make photocopies of seized documents within four days so that the departmental proceedings can be proceeded with. A large number of cases are pending for more than two years because of non-availability of documents for inspection, which are already before the Court.

It has therefore, been decided with immediate effect that the CBI should make legible certified photocopies of all the documents, which they seize, for launching the prosecution against the charged officer to concerned departments. It is also the responsibility of the CVOs to ensure that these certified legible photocopies of documents are made available when the CBI seizes the documents in any Government organisation. This is applicable to all Government organisations Public Sector Undertakings and Banks.

1.2 **Availability of documents to CDIs/IOs**

In many cases the concerned departments do not make the documents available during the departmental inquiries conducted by the Commissioner for Departmental

Inquiries (CDIs). This may be either due to inefficiency or collusion. There have been a lot of cases where important/critical files have disappeared. As failure to safeguard documents is an offence it has been decided that henceforth the following practice will be adopted by all concerned:-

The inquiry officer/CDI will ask the concerned departments to produce the documents within a time limit fixed by the IO/CDI. While doing so it will be indicated that if within the stipulated time frame the concerned department is not able to produce the documents the disciplinary authority will fix responsibility for the loss of the documents and compliance reported to the Commission with in a period of 3 months.

These documents would cover not only those listed in the charge-sheet but also additional documents as sought out by the charged officer and permitted by the Inquiring Authority.

2. All CVOs must ensure that strict compliance of the above guidelines of the Commission.
3. This order is also available on web site of the CVC at <http://cvc.nic.in>


(N.VITTAL)

CENTRAL VIGILANCE COMMISSIONER

To

- (i) The Secretaries of All Ministries/Departments of Government of India
- (ii) The Chief Secretaries to All Union Territories
- (iii) The Chief Executives of PSUs/Banks/Organisations
- (iv) The Comptroller & Auditor General of India
- (v) The Chairman, Union Public Service Commission.
- (v) The Director, CBI
- (vii) All Chief Vigilance Officers in the Ministries/Departments/PSEs/Public Sector Banks/Insurance Companies/Autonomous Organisations/Societies.
- (viii) President's Secretariat/Vic-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/PMO.