

No. 009/VGL/067
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110023
Dated the 9th March 2010

Office Order No.13/03/10

Sub: Timely completion of Departmental Inquiries - Improving Vigilance Administration.

- Ref:**
- (i) Commission's Instruction No. 8(1)(g)/99(2) dated 19/02/1999**
 - (ii) Commission's Instruction No. 8(1)(g)/99(3) dated 03/03/1999**
 - (iii) Commission's Circular No. 3(v)/99/7 dated 06/09/1999**
 - (iv) Commission's Circular No. NZ/PRC/1 dated 26/02/2004**
 - (v) Commission's Office Order No. 30/4/04 dated 26/04/2004**
 - (vi) Commission's Circular No. 3/1/06 dated 18/01/2006**

Natural justice demands that disciplinary proceedings are finalised in an expeditious manner. The delay in completion of proceedings works against the institutional incentive built to fight corruption. It may either cause undue harassment and demoralization of innocent employees, who at the end of the proceedings are exonerated of the charges framed against them; or it enables the guilty officers to evade punitive action for longer periods of time. In the former, it is not fair to the official concerned. In the latter, it provides perverse incentive for the corrupt. The delay in handling disciplinary cases has, on several occasions, been viewed adversely by the courts also. There have in fact been instances where the proceedings initiated against the delinquent employees were quashed solely on the ground that there were inordinate delays in handling the disciplinary cases. It is important that the formal proceedings, once instituted, are completed within the time frame laid down by the Government so that timely action can be taken against the delinquent employees.

2. An Inquiry Officer (IO) appointed by the Disciplinary Authority to conduct departmental inquiry in a particular case cannot start the inquiry unless related documents, viz., a copy of the charge sheet, reply of the Charged Officer, order of appointment of the Presenting Officer (PO) and the listed documents/witnesses, are furnished to the Inquiry Officer.

3. The Commission observes that non-availability of documents relevant to the departmental inquiry proceedings and undue delays in providing such documents is a major factor contributing to delay in timely finalisation of the inquiry. Another factor is delay in issue of appointment orders of IO by the disciplinary authorities. The Commission in the past vide its various circulars referred above, prescribed certain specific steps to be adopted for eliminating such avoidable delays like appointment of IO/PO immediately on denial of charges by CO, making legible certified photocopies of documents in cases where the originals are seized by CBI/filed in Courts, providing custody of all listed documents alongwith appointment orders to Presenting Officers etc. The Commission while reiterating its earlier instructions would emphasise that all pending cases of departmental inquiries need to be reviewed at regular intervals by the CVO and the Disciplinary Authority concerned in each Ministry/Department/Organisation to ensure that the proceedings are completed/finalised expeditiously.



(Vineet Mathur)
Director

To

- (i) All Ministries/Departments of Gol
- (ii) All Chief Executives of CPSUs/Public Sector Banks/Insurance Companies/Autonomous Bodies.
- (iii) All Chief Vigilance Officers