No. 4K DSP 25
Government of India
Central Vigilance Commission
No. 3, Dr. Rajendra Prasad Road
New Delhi, the 6/5/1981.

To,
All Chief Vigilance Officers

Sub:- Departmental Inquiry – Conduct of procedure regarding.

Sir,

Please refer to the Commissioners letter No. 20 DSE 1 dated 27/3/1980, requesting that while forwarding cases to the Inquiry Officer, the disciplinary authorities may specifically mention that all the listed documents are available with them or with the Presenting Officer concerned.

2. It is, however, observed that quite a number of cases where the Commissioners for Departmental Inquiries are appointed as Inquiry Officers, the documents are not made available promptly. As a result, the Commissioner for Departmental Inquiries are at a loss to proceed with inquiries and the cases are delayed. The Commission would reiterate that it may be ensured, while issuing the orders appointing the inquiry officers, that all the relevant documents are available with the disciplinary authority or with the Presenting Officer. It may also be ensured that these are handed over to the Inquiry officer at the earliest.

Yours faithfully,

Sd/-
(O.P. Sharma)
Director

Internal Distribution
All Officers in the commission.
All Commissioners for Departmental Inquiries.
Vig. I/Vig.II/Vig. III/Vig. IV.

PS to CVC
Sr. P.A. to secy.

---X---

No: 12-2-82-VIG/
Government of Goa, Daman & Diu,
Directorate of Vigilance,
Secretariat, Panaji- Goa, 403 001.
30th September, 1983.

MEMORANDUM

Sub: Processing of Disciplinary cases.

Vide this Directorate's Memorandum No. 12-1-78-VIG dated 11/6/1979, the following instructions for processing the disciplinary cases were issued:-

i) All cases where the Administrator is the Disciplinary Authority, no orders having any bearing on any disciplinary cases or suspension shall be dealt by Administrative Department and they should refer it to the Directorate of Vigilance.

ii) All cases where it is proposed to initiate action against any Government servant in whose case the Administrator is the Disciplinary Authority and should be transferred to the Directorate of Vigilance with with relevant record / evidence in original.

2. On re-examination of the matter and in supersession of the aforesaid instructions, the following guidelines are issued for the compliance of all Departments/Offices:-

a) Only those cases in which there is an allegation of corruption or improper motive or if the alleged facts indicate an element of corruption or improper motive on the part of the officers in whose case the Administrator is the Disciplinary Authority may be referred to the Directorate of Vigilance for necessary action. In other words, only cases which prima-facie have or are likely to have a vigilance angle should be referred to the Directorate of Vigilance angle should be referred to the Directorate of Vigilance for further action. Cases involving purely administrative lapses, like absence, insubordination, refusal to join post on transfer etc. need not be referred to this Directorate.

b) The cases of above nature may be transferred to the directorate of Vigilance with relevant record/evidence in original in Annexure I and Annexure II circulated vide this Directorate's Memorandum No. 12-1-78-VIG dated 11/6/1979.

Sd/-
(D.S. Shirodkar)
Dy. Director (Vigilance)

To:
1. All Secretaries to the Govt.
2. All Head of Departments (by name)
3. All Vigilance Officers (by name)

Copy to:
All Departments in the Secretariat.

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No: 1/8/78-VIG/Vol.I (Part File)
Government of Goa, Daman & Diu,
Directorate of Vigilance,
Secretariat, Panaji – Goa. 403 001.

31st August, 1984.

OFFICE MEMORANDUM

Sub:- Framing of Charge-sheet i.r.o. Group 'C' & 'D' employees

In partial modification of the instructions issued by this Directorate vide office Memorandum No. 1/8/78-VIG/Vol. I dated 7th August, 1980, it has been decided that the vetting of the charge sheet in respect of Group 'C' & 'D' employees, where the case **does not involve vigilance angle** may be done by the Vigilance Officer of the concerned Department. It is however left to their discretion to bring up such cases to this Directorate for discussion and advice, if they so desire. Cases involving vigilance angle such as these relating to misappropriate of Govt. money, charges of corruption etc, the draft charge-sheet should variably be sent to this Directorate for vetting.

2. As regards Group 'A' & 'B' Gazetted Officers, draft charge-sheet in all types of cases should continue to be sent to this Directorate, as per the existing practice.

Sd/-
(S. D. Sadhale)
Dy. Director (Vigilance)

To,
1. All Secretaries to Govt.
2. All Secretariat Deptt.
3. All Heads of Deptts/Officers.

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No: 22/145/84-PER/
Government of Goa, Daman & Diu,
Department of Personnel & A.R.,
Secretariat, Panaji – Goa.

Dated: 12th Sept. 1984.

Letter No: 11012/7/83-ESTT(A) dated 23rd July, 1984 received from Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms, New Delhi regarding CCS(CC&A) Rules, 1965 – Rule 14(8) (a) – Request of a delinquent official for permission to engage a Legal Practitioner to defend his case before the Inquiry Officer is reproduced and circulated herebelow to :-

i) All the Departments in he Secretariat.
ii) All Departments outside the Secretariat.

Sd/-
(N.P. Gaunekar)
Under Secretary(Personnel)

No: 11012/7/83-Estt(A)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
Department of Personnel and Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 23rd July, 1984.

OFFICE MEMORANDUM

Sub: CCS(CCA) Rules, 1965 – Rule 14(8) (a) – Request of a delinquent official for permission to engage a Legal Practitioner to defend his case before the Inquiry Officer.

The undersigned is directed to refer to Rule 14(8) (a) of the Central Civil Services (classification, Control and Appeal) Rules, 1965 which provides, inter- alia, that a delinquent Government servant against whom disciplinary proceedings have been instituted as for imposition of a major penalty may not engage a legal practitioner to present the case on his behalf before the Inquiring Authority, unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or the disciplinary authority, having regard to the circumstances of the case, so permits.

It is clarified that when on behalf of disciplinary authority, the case is being presented by a Prosecuting Officer of the Central Bureau of Investigation or Government Law Officer (Search as Legal Advisor, Junior Legal Advisor), there are evidently good and sufficient circumstances for the disciplinary authority to exercise his discretion in favor of delinquent officer and allow him to represented by a legal practitioner. Any exercise of discretion to the contrary in such cases is

likely to be held by court as arbitrary and prejudicial to the defence of the delinquent Government servant.

The Ministry of Finance, etc are requested to bring the contents of this O.M. to the notice of all disciplinary authorities, etc.

Sd/-
(Miss Manjula Subramaniam)
Deputy Secretary to the Government of India.

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No: 23/1/87-GA&C(i)
Government of Goa, Daman & Diu
Department of Personnel & A.R.,
Secretariat, Panaji – Goa.
Dated: 21/7/1986.

OFFICE MEMORANDUM

The Govt. of India , Ministry of Personnel, Public Grievances & Pensions & Pensions, Department of Personnel and Training Office Memorandum No. 11013/6/86-Estt(A) dated 3/7/1986 is reproduced herebelow and circulated for information and necessary action to:-

1) All Head of Departments/Offices.
2) All Departments in Secretariat.

Sd/-
(N.P.Gaunekar)
Under Secretary(Personnel)

No: 11013/6/86-Estt(A)
Government of India/Bharat Sarkar,
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
New Delhi, the 3/7/86.

OFFICE MEMORANDUM

Sub:- Rule 18(4) of CCS (Conduct) Rules, 1964 calling of a statement of movable or immovable property at any time.

A question has been raised whether in addition to the return of assets and liabilities to be submitted at the time of initial appointment and the annual return of immovable property in case of Group A and Group B Officers, the government servants can be asked to furnish, at any time, the details of movable or immovable property held by them or on their behalf. Attention in this regard is invited to sub-rule (4) of Rule 18 of the CCS (conduct) rules, 1964, which provides that the Government or an authority prescribed under these rules, may at any time by a general or special order require any government servant to furnish a full and complete statement of movable or immovable property held or acquired by him or on his behalf or by a member of his family. The government servant can also be asked to indicate the means by which, or the source from which, such property was acquired.

2. Ministry of Agriculture etc. are requested to bring the above provisions to the notice of all administrative authorities with the advice that they may make use of these provisions, as and when considered necessary.

Sd/-
(C. Sitaraman)
Under Secretary to the Govt. of India.

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CONFIDENTIAL

No: 15-9-2000-VIG/
Government of Goa,
Directorate of Vigilance,
Junta House (6th floor).,
Panaji – Goa.
Dated: 17/08/2000

CIRCULAR

Sub:- Report on review of cases of officials/officers placed under Suspension.

It is observed that cases of Officials/Officers who are placed under suspension for one reason or other, are not being reviewed every three months as required under para 8 of this Office Circular No. 5/48/99-VIG dated 11/10/1999. In this connection, it may be noted that the staff under suspension are receiving subsistence allowance without doing any work, when the services of these officials/officers could be utilized in Head Office or in non sensitive areas/positions, on revocation of suspension.

It is, therefore, requested to review each case, in the light of the above instructions wherever feasible and submit a Quarterly Report on 31st March, 30th June, 30th Sept and 31st December every year. However, the instant report as on 30.6.2000 may be forwarded by 28.8.2000, positively. The compliance report should cover the following details/proforma:-

Sr. No.	Name of Officer with designation	Date of placing Under suspension	Reasons in brief for placing under suspension	Date of quarterly review	Reasons for not revoking suspension.
1.	2.	3.	4.	5.	6.

In case no information is to be forwarded/furnished a NIL report may be sent.

Sd/-
(Manisha Saxena)

Director of Vigilance.

To,
1. All the Head of Departments
2. Secretariat Department.

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No: 15/24/99-VIG/
Government of Goa,
Directorate of Vigilance,
Junta House (6th floor).,
Panaji – Goa.

Dated: 12/7/2000

CIRCULAR

Sub:- Checks on misuse of Government Vehicle.

During the course of investigation of the complaints of misuse of vehicles of the Ponda Municipal Council, by certain Officers/Officials, the inspection of motor vehicle logbooks was carried out. It has been noticed that most of the Chief Officers and other Municipal staff do not adhere to the norms contained in the Staff Car Rules. It is also observed from the Log Book Registers that most of the entries which are entered in the logbooks are not signed by the Chief Officer as well as other officials of the Municipality. In some entries, the purpose of journey is not properly recorded in column No. 9. There are also instances where entries are made by clerical staff in the log book and signature of Chief Officer/Municipal Engineer are obtained after an interval of a fortnight or even a month, which is highly objectionable.

According to Rule 2 of the Rules for the use of Government Motor Vehicles of Government of Goa, the Controlling Officer is responsible for proper use, care maintenance of the vehicle or regulation of journeys in accordance with the aforesaid rules. Rule 3 makes it obligatory on the part of the Controlling Officer, to maintain the log book which inter-alia shall also record the petrol consumption. Under Rule 4, the Drawing & Disbursing Officer, where he is separate from the Controlling Officer, is required to record the certificate including the certificate prescribed under clause (b) of the said rules which deals with non-duty journeys. Rule 42 provides that complaints about misuse of vehicles received should be investigated by the concerned Head of Department/Office and its findings should be reported to the Chief Vigilance Officer within 2 months.
The administrative control of all Goa Municipalities is with the Directorate of Municipal Administration for which Director is the Head of the Department and as such, it is within his powers to investigate the matter in consultation with the appropriate Municipal Council.

4.It is therefore, enjoined upon all the Chief Officers of the Municipal Councils to strictly adhere to the norms of the Staff Car Rules and to ensure proper and regular maintenance of the log books with details of journeys such as purpose, places and distance for verification whenever required.

Cont.... 2

5. This Directorate of Municipal Administration is requested to carry surprise inspection of the log books every month of all the Municipal Council in order to avoid/prevent misuse office vehicles in public interest.

This issues with the approval of the Government.

Sd/-

(Manisha Saxena)
Director of Vigilance

To,
1. All Chief Officers of Municipalities.
2. The Director of Municipal Administration.
3. The Chief Vigilance Officer for information

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No: 15-9-99-VIG/
Government of Goa,
Directorate of Vigilance,
Junta House (6th floor).,
Panaji – Goa.

Dated: 11/08/2000

CIRCULAR

Sub:- Regarding Inquiring/Vigilance cases vetting of charges of group 'C' & 'D' of Employees

It is observed that some of the Heads of Departments, inspite of Government instructions, submit their request, for an inquiry/Vigilance cases/vetting of charges of Group 'C' and 'D' and other Departmental inquiries of General misconduct or dereliction of duties directly to the Directorate of Vigilance, when the same can be sorted out at their level through their respective Vigilance Officers with the approval of Administrative Secretaries.

It is, therefore enjoined upon all the Head of Departments to strictly adhere to the Government instructions contained in Circular No. 13/11/88-VIG-III dated 9/2/1999 and paras 11 and 12 of Circular No. 5/48/99-VIG dated 11/10/1999, in order to avoid time consuming procedure.

This issues with the approval of the Chief Secretary/Chief Vigilance Officer.

Sd/-
(Manisha Saxena)
Director of Vigilance.

To,
1. All Head of Departments/Offices.
2. All Secretaries to the Government of Goa.

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MOST IMMEDIATE
REMINDER

No. 15-9-2000-VIG
Government of Goa,
Directorate of Vigilance,
Junta House (Annexe), 6th floor,
Panaji – Goa.

Dated: 6/11/2000.

To

(All Concerned)

Sub : Quarterly returns of review of cases of Government officials placed under suspension.

Ref : This office Confidential circular of even number dated 17.8.2000.

Sir,

Please refer to the above confidential circular of even number dated 17.8.2000, on the above subject. In this connection, I am to request you to kindly furnish the quarterly returns for the quarter ending 30.6.2000/30.9.2000, by return of post. The format is given below to avoid delay/back reference: -

Sr. No.	Name of official with designation	Date of suspension	Brief details for suspension	Date of quarterly review	Reasons for not revoking suspension
1.	2.	3.	4.	5.	6.

In case no Government official is under suspension, a NIL information may be furnished, for every quarter i.e 30.6.2000, 30.9.2000, 31.12.2000 and 31.3.2001.

Yours faithfully,

Sd/-
(Swapnil M. Naik)
Deputy Director (Vigilance)

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No.1/4/78-VIG (Vol.VII)/
Government of Goa,
Directorate of Vigilance,
Serra Building, Near A.I.R.,
Altinho, Panaji – Goa.

Dated: 18/10/2005

C I R C U L A R

It is necessary to lay down the duties/guidelines for the Vigilance Officers appointed by the Vigilance Department in the various Government Departments/Public Sector Undertakings/Autonomous Bodies under the Government with the purpose of strengthening the vigilance machinery in the state.

Therefore, it is ordered that the duties of the Vigilance Officer's appointed in various Departments/Public Sector Undertakings/ Autonomous Bodies under the Government, shall be as follows: -

1. To receive complaints from the general public against the Officers and the Employees/Staff of the Office/Department.

2. To conduct preliminary investigation into the allegations made in the complaint, so as to verify and ascertain the substance in the complaints and submit the same to the Disciplinary Authority/Head of Department, and refer the matter to Vigilance Department for advice.

3. To maintain proper record regarding the Vigilance Cases, Disciplinary Cases pending against the staff of the Department and constantly monitor the same till they reach to its logical conclusion and enforced/complied with.

4. To conduct surprise visit/inspection into the various Sections/ Branches and the subordinate Offices to unearth/find out any irregularities/illegalities being conducted, with the prior approval of the H.O.D./Secretary of the Department concerned.

5. To identify the probable places of corruption and also officers of doubtful integrity and living beyond means in the Department and to keep the Superintendent of Anti Corruption Branch of the Directorate of Vigilance informed about the same.

6. To examine the nature of complaints and suggest systemic changes for reducing the scope for corruption, for e.g. simplification of office procedure, routine/regular internal transfer of officers/ officials.

P.T.O.

7. To prepare list of suspected officers in consultation with the Supdt. of Police (Anti Corruption Branch) and ensure in consultation with HOD that this officers are not posted to sensitive postings.

8. To assist Disciplinary Authorities/H.O.D. in drafting of Charge sheet and appointment of Inquiring Officer's, Presenting Officer's in consultation with Vigilance Department.

9. To provide intelligence/information about the doubtful/suspected activities of the officers and staff of dubious integrity to Anti Corruption Branch of the Vigilance Department for watch/observation.

Further, all the H.O.D's are hereby requested to furnish the name, designation, residential address, office address, contact telephone numbers (both official as well as residential) of the Vigilance Officers of their Department to this Directorate.

This issues with the approval of the Chief Vigilance Officer/Chief Secretary.

(A.W. Rane)
Additional Director (Vigilance)

To :-

1. All H.O.D's/Heads of Offices.
2. M.D/C..E.O. of Private Sector Undertakings/Autonomous Bodies.
3. All Secretaries to the Government of Goa,
4. Office Copy.

Guard file.

CONFIDENTIAL

No.15/9/2000-Vig
Government of Goa,
Directorate of Vigilance,
Junta House (Annexe), 6th Floor,
Panaji-Goa

Date : 21/12/2000

CIRCULAR

Sub : Regarding review of suspension cases.

Copy of under mentioned circular No.13/11/88-VIG(Part V) dated 20/12/2000 received from the office of Commissioner and Secretary (Vigilance), Secretariat, Govt. of Goa is forwarded for information and necessary action :-

1 All Heads of Department/Offices.
2 All Department in the Secretariat.
3 P. S. to C. M.
4 All under Secretaries to Government.

Sd/-
(Sapnil M. Naik)
Dy. Director (Vigilance)

List of paper forwarded :

No.13/11/88-VIG (Part V)
Government of Goa
Office of Commissioner & Secretary (Vigilance)
Secretariat, Panaji-Goa.

Dated : 20/12/2000

CIRCULAR

Sub : Review of Suspension cases.

1 It has come to the notice of the Government that the Department are not taking a periodic review of the suspension cases.

2. It is mandatory for the disciplinary authorities to review periodically the cases of Government officials under suspension in which the charges sheet have been served/failed to see and the steps could be taken to expedite the progress of the Court trial/Departmental proceedings. The first review which has been prescribed to be taken is at end of three months from the date of suspension.

Cont....2

3 Unduly long suspension does not serve any useful purpose. The suspended official is paid by the Government, even without doing any work. Therefore, the concerned authorities should regularly review other suspension cases.

4 For this purpose, a Committee may be constituted with the Head of department as the Chairperson, and Administrative officer as a member and any other officer from the Department.

5 The Committee may meet at regular intervals and take a decision either to continue with the suspension or its revocation. A detailed reasoning should be given for the same. A quarterly report on suspension should be submitted to the Department of Vigilance in the prescribed format.

6 These instructions are for strict compliance.

7 Please acknowledge the receipt.

Sd/-
(Archana Arora)
Com. & Secretary (Vigilance)

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No.5/46/01-VIG
Government of Goa,
Directorate of Vigilance,
Junta House (Annexe), 6th floor,
Panaji – Goa.

Dated: 5.2.2002.

CIRCULAR

Sub : Regarding verification of genuineness of certificates with reference to qualification.

Investigations conducted recently into certain complaint received by the Directorate of Vigilance have revealed that some Candidates have secured jobs in a Government Department by producing fake certificates/documents at the time of recruitment.

In order to ensure that such cases are not prevalent elsewhere in other departments, it is considered necessary that the Heads of Departments and Appointing Authorities should carry out verification of the genuineness of Certificates showing the essential qualifications of candidates appointed in Government departments recently i.e. appointed after January 1990.

All the Heads of Departments are therefore requested to carry out such an exercise and take appropriate action in consultation with Director (Vigilance) - in cases, where malpractices have been noticed and persons have been appointed on the basis of forged/false documents.

The action taken in this regard be intimated to the Director of Vigilance, at an early date.

Sd/-
(R. RAGHURAMAN)
Secretary (Vigilance)

To
1. All Heads of Departments.
2. All Secretaries to Government.
3. Jt. Secretary to C.M., Secretariat, Panaji.

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No.13/12/2003-VIG
Government of Goa,
Directorate of Vigilance,
Serra Building, Near A.I.R.,
Altinho, Panaji – Goa.

Dated: 09 / 04/ 2003.

C I R C U L A R

Sub : Regarding to expedite the disciplinary proceedings

It has been found that a large number of disciplinary proceedings against delinquent Officers/Officials could not be concluded due to long delays taking place in finalising the Inquiry Report. The delay in conclusion of the disciplinary proceedings results in dilution of deterrence against the Officers/Officials indulging in misconduct. Incidentally, it also causes unnecessary harassment to the Officers/Officials against whom the charges would not ultimately get proved. Either way, it is essential that the disciplinary proceedings should be concluded as expeditiously as possible by planning out right schedule of completion of various activities like inspection of documents, taking of evidence, filling of arguments etc.

In this regard, it is necessary that the Presenting Officers appointed in such cases by the Disciplinary Authorities should press before the Inquiring Authorities for early conclusion of the inquiries. The Heads of Departments/Disciplinary Authorities by whom the Presenting Officers are appointed should impress upon the Presenting Officers in the above matter so as to complete/dispose off the disciplinary cases within 3 months.

Sd/-
(Sanjiv M. Gadkar)
Director(Vigilance)

To,
All the Heads of Departments.

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No: 13/27/86-VIG/
Government of Goa,
Directorate of Vigilance,
Junta House(Annexe) 6th floor.,
Panaji – Goa.
Dated: 18/09/2003

ORDER

Sub:- Honorarium to in-service IO and PO

In supersession of Order No. 13/27-86- VIG dated 5/7/1995, sanction of the Government is hereby conveyed for the payment of honorarium at the following revised rates to the officials who are appointed for conducting departmental inquiries:-

Sr. No.	Post	Prevailing rate of honorarium per completed case	Revised rate of honorarium per completed case
1.	2	3	4
	Inquiring Authority Appointed to hold Disciplinary proceedings in addition to Normal duties.	Rs. 600/-	Rs. 1000/-
2.	Presenting Officer		
	(a) Gazette Group 'A" And 'B' Officers	Rs. 400/-	Rs. 600/-
	(b) Non-Gazette Officers	Rs. 300/-	Rs. 500/-
3.	Steno/Typist	-	Rs. 300/-

It is certified that the provision of F.R. 11 have been taken into account while sanctioning the honorarium.

This order issues with the concurrence of Finance Department vide their U.O. No. Fin(Exp.) Department /6536 dated 23/08/2000.

Disciplinary Authority shall issue order appointing Steno/Typist in consultation with the concerned Inquiring Authority.

Sd/-
(Arun L. Desai)
Dy. Director (Vigilance)

Copy to:-

1. The Director of Accounts, Panaji.
2. The Sr. Dy. Accountant General(Audit) Panaji.
3. The All Inquiring Authorities in the panel of Officers.
4. All Head of Departments/Offices.
5. All Department of the Secretariat.

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