

No.C.33011/02/2022-Vig.
Government of India
Ministry of Education
Department of Higher Education
Vigilance Section

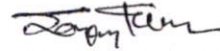
Room No. 106-C, Shastri Bhawan,
New Delhi, dated 27th January, 2023

CIRCULAR

Sub : Engagement of retired officials to conduct investigation and perform other vigilance functions – reg.

The undersigned is directed to enclose herewith a copy of CVC's circular No. 022/VGL/026 dated 13.01.2023 wherein the Commission has conveyed that the vigilance functionaries should always be full time employees of the respective organisations and in no case a retired employee should be appointed in any capacity to perform any of vigilance functions.

2. All the Bureaus of Ministry of Education are requested to convey the instructions of the Commission to organisations under their administrative control for compliance/ necessary action in the matter.



(Sanjay Kumar)

Under Secretary (Vigilance)

To

All the Bureau Heads of D/HE and D/SE&L of Ministry of Education.

Copy to

Sr. PPS to Secretary (HE).

FTS: 1188/68/23
27/1/23 to be circulated to all AOs
DS, INS-5
27/1/23
US (INS-5)
SO (INS-5)



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-10023
022/VGI/026

सं./No.....

दिनांक / Dated..... 13.01.2023.....

Circular No. 01/01/23

Sub: Engagement of retired Officials to conduct Investigation and perform other vigilance functions.

- Ref. (i) DoP&T OM No. 371/32/97-AVD III dated 28.11.1997.
(ii) Commission's Circular No. 3(V)/99/12 dated 14th August 2000.

Central Vigilance Commission, vide its Order No. 3(V)/99/12 dated 14th August 2000 had directed that vigilance functionaries in any organization shall be full-time employees and a retired employee should not be appointed as a consultant to perform vigilance functions.

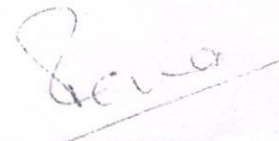
2. However, it has been observed that some of the organizations are still appointing retired employees as Investigating Officers, to conduct investigation, which is an important vigilance function. It may be noted that Investigating Officers and other vigilance functionaries have a crucial role to play. They are responsible for recording statements, examining various aspects of a case, preparation of investigation reports and safe custody of documents, including classified/confidential ones. Keeping in view the vital role of Investigating Officers and other vigilance functionaries in detection, investigation and processing of vigilance related matter (till they are brought to a logical conclusion), it is very important that vigilance functionaries, including the Investigation Officers, are not susceptible to any kind of undue influence.

3. Moreover, it is also important that the vigilance functionaries are made accountable and subjected to disciplinary action, if they are found to have compromised confidentiality, objectivity or integrity, in discharge of duties assigned to them. The same is not possible in case of retired officials as Conduct and Disciplinary Rules are not applicable to a retired official, for any post-retirement misconduct.

2

4. Therefore, keeping in view the important role played by vigilance functionaries (including Investigating Officers), the Commission has decided to reiterate its earlier directions that the vigilance functionaries should always be full-time employees of the respective organisations and in no case a retired employee should be appointed, in any capacity, to perform any of the vigilance functions.

5. The above guidelines may be noted for strict compliance by the authorities concerned.


(Rajiv Verma)
Director

To: -

1. The Secretaries of all Ministries/Departments of Gol
2. All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
3. All CVOs of Ministries/Departments of Gol/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
4. Website of CVC