



GOVERNMENT OF KERALA

Vigilance (E) Department

CIRCULAR

No. 11855/E3/08/Vig.

Dated, Thiruvananthapuram, 7th January, 2010.

*Sub:—Vigilance Department—Follow up action on reports relating to Vigilance Enquiries/Investigations—Disposal of files in a time bound manner—Instructions issued.*

*Ref:—1. G. O. (P) No. 65/92/Vig. dated 12-5-1992.*

*2. G. O. (P) No. 46/97/Vig. dated 31-7-1997.*

Government have issued orders regarding the follow up action on the reports of Vigilance and Anti-corruption Bureau vide Government Order first cited. Subsequently in partial modification to para 13 (4) of the G. O. the following change was made as per Government Order referred to as second paper above:

*"In cases where Vigilance Enquiry Reports are forwarded to the concerned administrative departments, further action thereon will be taken by Administrative Departments themselves. Such reports will not be forwarded to Heads of Departments, the Administrative Departments themselves will initiate action and issue final orders in consultation with the Vigilance Department of the Secretariat"*

Instances of inordinate delay in finalizing disciplinary action on Vigilance Proceedings by Administrative Department have come to the notice of Government. Such delays render the very purpose of the enquiries conducted by



Vigilance and Anti-corruption Bureau, meaningless. With a view to ensuring time bound follow up action Government issue the following instructions for strict compliance, with immediate effect:

- (i) When Reports on Vigilance Proceedings such as Vigilance Enquiry, Surprise Check, Quick Verification, Confidential Verification Trap etc., are forwarded to concerned Administrative Departments with recommendation of Vigilance Department, further action thereon will be taken by Administrative Departments themselves. Such reports will not be forwarded to Heads of Department. Administrative Departments themselves shall initiate action and issue final orders after consulting and obtaining concurrence of Vigilance Department in the Secretariat;
- (ii) All Principal Secretaries/Secretaries of Administrative Department concerned should ensure that speedy disposals on files relating to the disciplinary action on Vigilance Proceedings are initiated immediately and finalized against the officers at the earliest possible. At any rate the said period shall not exceed one year;
- (iii) An officer not below the rank of Deputy Secretary to Government shall be authorized in each Department to monitor whether the Memo of Charges are framed and issued within a reasonable time, whether written statement of Defence is received within the time frame prescribed and file processed so that a tentative decision shall be arrived at for consultation with Vigilance Department in Secretariat. A tendency to call for draft Memo of Charges from the Head of Department is noticed, which has been the principal cause of delay. As the Vigilance report contains all facts, the practice of calling for draft Memo of Charges from Heads of Departments is meaningless and should not be done;
- (iv) A periodical return will be sent to the Vigilance Department in the Secretariat by the Principal Secretaries/Secretaries of the concerned Administrative Department every month detailing information in the pro forma appended;



- (v) A meeting to review/monitor all such cases shall be convened by the Principal Secretaries/Secretaries with Heads of Departments and other officers concerned in Secretariat on a quarterly basis. The Secretaries of Administrative Departments may also review such cases in their monthly staff meetings;
- (vi) It may be ensured that no file is left unattended and that prompt action is taken to finalise disciplinary proceedings initiated against the officers;
- (vii) The Principal Secretaries/Secretaries will ensure that clearance of Vigilance Department is invariably obtained before issuing final orders on such files.

K. JAYAKUMAR,

*Additional Chief Secretary to Government.*

To

All Principal Secretaries/Secretaries/Special Secretaries.

The Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram.

All Heads of Departments.

All Officers, Sections and Departments in the Secretariat including Law and Finance.

Private Secretary to Chief Minister.

Private Secretary to Minister (Home and T).

P. S. to all Ministers.

C. A. to Additional Secretary (Vigilance).

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All disposals concerned.



# APPENDIX

## PRO FORMA IN RESPECT OF DETAILS PERTAINING TO FOLLOW UP ACTION ON VIGILANCE PROCEEDINGS

<i>Sl. No.</i>	<i>Description of cases</i>	<i>Vigilance Department File No. and Report No.</i>	<i>Name of suspect Officers and Department</i>	<i>File No. and Date of Communication</i>	<i>Whether the case Disposed of or not</i>	<i>Remarks (if not disposed of specify reasons thereof)</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)





GOVERNMENT OF KERALA

Vigilance (E) Department

CIRCULAR

No. 9610/E3/09/Vig.

*Dated, Thiruvananthapuram, 9th February, 2010.*

*Sub:—Vigilance Department—Officers suspended from service in connection with Vigilance Enquiry—Reinstatement—Regular and periodical review of suspension cases by Suspension Review Committee—Further instructions—Reg.*

*Ref:—G. O. (Ms.) No. 21/90/Vig. dated 23-1-1990.*

A Committee to review cases of suspension of officers involved in Vigilance Cases/Vigilance Enquiry was constituted as per Government Order referred to above with the following members:

1. Secretary (Home and Vigilance).
2. Director of Vigilance and Anti-Corruption Bureau.
3. Secretary, Personnel and Administrative Reforms Department.
4. Law Secretary or his representative.
5. Joint Secretary (Vigilance) Member Convener.

The Committee meets periodically and reviews all cases of such suspension above 6 months and proposes recommendations of cases of officers eligible for reinstatement. But an instance was come to the notice of Government that order of reinstatement was issued by Administrative Department without referring the matter to the Suspension Review Committee on the presumption that the case



need not be referred to the committee as the suspect officer was placed under suspension by the Administrative Department before the recommendation of Vigilance Department suggesting suspension was received.

The Committee view such laxity seriously and is hereby clarified that all cases of reinstatement in connection with Vigilance Cases/Vigilance Enquiry etc. shall invariably be referred to the Suspension Review Committee for its consideration. Here the point for consideration shall be whether the suspension has any connection with a Vigilance Case/Vigilance Enquiry or such other irregularity having a Vigilance angle.

In cases where there are any court direction or so the committee will convene at short notice and review the case on an ad hoc basis. All Appellate and Disciplinary Authorities are directed to follow these instructions scrupulously.

K. JAYAKUMAR,

*Additional Chief Secretary to Government.*

To

All Principal Secretaries/Secretaries/Special Secretaries.

The Director, Vigilance and Anti-Corruption Bureau, Thiruvananthapuram.

All Heads of Departments.

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