

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SC.F) DEPARTMENT

Memo.No. 2985761/SC.F/A1/2025-1

Dated:11.11.2025

Sub: Vigilance Commission - Impleading Vigilance Commissioner as respondent in representation petitions / Writ Petitions / Writ Appeals/PILs etc. before the Hon'ble High Court of A.P. - Strike off the name from the Respondents at the admission stage itself – Instructions – Issued.

Ref : 1.Govt.Memo.No.1396/SC.D/77-6, G.A. (SC.D) Dept., dt.27.10.1977
2.From the Vigilance Commissioner, APVC., D.O.Letter No.GAD12-COOR0MISC/ 13/2021-AB-SEC-APVC,dt:01.09.2025.

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In the reference 2nd cited, the A.P.Vigilance Commissioner has informed that after abolition of APAT, all the Govt. employees are filing Writ Petitions / Writ Appeals / PILs before the Hon'ble High Court of Andhra Pradesh to redress their grievances regarding their service matters / promotions and also to get relief from the disciplinary cases pending against them duly impleading the Vigilance Commissioner, APVC under the list of Respondents. A number of WPs / Representation Petitions / PILs have been filed before the Hon'ble High Court impleading the Vigilance Commissioner, APVC as Respondent, which is not proper as per the existing instructions as his function is only to tender advice considering the material available on record to the Government and does not hold any independent record or evidence. He has therefore requested to extend the earlier instructions / orders issued vide Govt Memo.No. 1396/SC.D/77-6, G.A.(SC.D) Dept., dt:27.10.1977 also to the cases filed before the Hon'ble High Court of Andhra Pradesh.

2. In the circumstances stated by the A.P.Vigilance Commissioner, all the Government Pleaders are requested to urge before the Hon'ble High Court for striking off the name of the Vigilance Commissioner whenever he is impleaded as respondent in Writ Petitions/ Writ Appeals / PILs at the admission stage itself and the instructions issued vide reference 1st cited, in respect of APAT cases hereby extend to the cases of A.P.High Court on the following reasons:-

- a) In a W.P. no relief could be sought against the Vigilance Commissioner and therefore, he is not a necessary party to a case as he exercises only an advisory jurisdiction.
- b) A Rule Nisi issued to the Vigilance Commissioner may not have any greater advantage as there is no record available with the Vigilance Commissioner which he can produce and which is not otherwise available with the Government, or the petitioner.
- c) The disclosure of a confidential record of the Vigilance Commission if any, such as a note file or other, will not be in the public interest, the very object of setting up Vigilance Commission is to eliminate corruption and other like evils from public life which necessarily need certain amount of secrecy failing which the functioning of the Vigilance Commission is bound to be hampered.

(P.T.O)

3. All the departments of Secretariat are therefore instructed to take necessary action in consultation with Government Pleader concerned to strike off the name of the Vigilance Commissioner as respondent in Writ Petitions / Writ Appeals / PILs etc. before the Hon'ble High Court of Andhra Pradesh as the Vigilance Commission is only Advisory Body.

K VIJAYANAND
CHIEF SECRETARY TO GOVERNMENT

To
All the Government Pleaders of High Court of Andhra Pradesh
All the departments of Secretariat
The Secretary to A.P.Vigilance Commission
Copy to:
The Law Dept.
The A.P.V.C.
P.S. to CS/Prl.Secy.(Poll)/A.P.Vigilance Commission
Sf/sc.

//FORWARDED::BY ORDER//

[Signature]
SECTION OFFICER(SC)

(DTP)