

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF VIGILANCE
4TH LEVEL, C-WING, DELHI SACHIVALAYA,
I.P. ESTATE, NEW DELHI-110002.

No.F.1/04/2003/DOV/ 9390-9459

Dated: 24.12.2008

To,

All the Pr. Secretaries/Secretaries/HODs
Heads of Autonomous/Local Bodies,
Govt. of NCT of Delhi,
New Delhi

Subject:- Appointment of retired officers as Inquiry Officers.

Sir/ Madam,

Directorate of Vigilance has drawn a panel of retired officers for appointment as Inquiry Officer for conducting departmental inquires under CCS (CCA) Rules, 1965 against the officers/officials of Govt. of NCT of Delhi. Terms & Conditions of empanelment and remunerations admissible to retired officers have been approved by the Competent Authority i.e. Hon'ble Lt. Governor, Delhi.

Following order No. F.1/10/2004/DOV/5688-98 dated 5.8.08 issued by this Directorate some departments have been seeking clarifications regarding, similar arrangement for themselves for appointment of Inquiry Officers, their terms & conditions of empanelment and remunerations.

It is clarified that the terms & conditions of empanelment of retired officers and remunerations allowed to them are exclusively for the disciplinary cases processed by this Directorate. It is also emphasized that this Directorate deals with disciplinary matters relating to Group A & B officers of Govt. NCT of Delhi and appointment of Inquiry Officers for disciplinary cases against such officers is the Chief Secretary/Hon'ble Lt. Governor /Cadre Controlling Authority.

If departments intend to empanel retired officers as Inquiry Officers for disciplinary cases in respect of employees where concerned Head of Department is the competent disciplinary authorities, they may seek separate approval from the Competent Authority for Terms & Conditions for empanelment of retired officer to be identified by them and also separate approval for remuneration in consultation with Finance Department.

Yours faithfully,

Sd/-
(Ashutosh Kumar)
Addl. Secretary (Vig.)

Copy for information to:-

1. Pr. Secretary to the LG, Delhi.
2. Pr. Secretary(Finance).
3. S.O. to Chief Secretary/CVO,GNCTD.
4. Pr. Secretary(Services).

Confidential

DIRECTORATE OF VIGILANCE
GOVT. OF NCT OF DELHI
4th Floor, C-Wing, Delhi Sachivalaya,
I.P. Estate, New Delhi.

No.F.01/11/2008/DOV/9574-78

Dated: 29.12.2008

To

Dr. N. Dilip Kumar, Addl. C.P.,
Anti Corruption Branch of DOV,
Govt. of NCT of Delhi,
Old Sectt., Delhi-54.

Sir,

This Directorate has formulated a Complaint Handling Policy. The Policy is based on the guidelines issued by the Central Vigilance Commission and has also been approved by the Commission vide their letter No.007/VGL/009/22082 dated 24th Sept., 2008. We are enclosing the approved policy for information.

You are already aware that this Directorate has constituted a Committee under the Chairmanship of Pr. Secretary-cum-Director (Vigilance) with Addl. CP, Anti Corruption as one of the members. The Committee is stipulated to meet every fortnight and scrutinizes all the complaints received during the fortnight and decision for further action. The mechanism helps in faster decision and better management of records of complaints.

It seems despite Directorate of Vigilance UO No.s F30/03/2008/DOV/Vol.II/2314-15 dated 9/4/08, 9/5/08 and 17/9/08(copy enclosed) complaints received in the Anti Corruption Branch are not subjected to the same mechanism. All such cases received in the Anti Corruption Branch are to be placed before the fortnightly meeting. In other words, enquiry into any complaint prior to its placing before the Competent Authority is to be avoided at all cost and even in solitary case considered by the Anti Corruption Branch, this facts needs to be placed before fortnightly meeting of the "Committee".

In view of the above, it is desired that all such complaints which have not been put up before "Committee" as per the UO's referred above need to be placed on record and ex-post facto approval for continuation enquiry by the Anti Corruption Branch need to be taken. This will keep a record of all complaints handle by Anti Corruption /Vigilance Wing or any other Department where it is referred to by Competent Authority so as to keep a track of progress, as well as avoiding occasions where a complaint is taken up for enquiry and closed without any logical end. This will also obviate instances of allegation that complaints are entertain and close without proper approval of the Competent Authority. Instance of any deviation from the approved mechanism may invite adverse view.

Contd....

Further, It has been noticed that many a times enquiries conducted by Anti Corruption Branch into the complaints forwarded by the Directorate of Vigilance or the Central Vigilance Commission are not as detailed and objective as the contents of the complaint would require it to be.

Besides, allegations are not succinctly mentioned in the enquiry report and findings about misconduct/lapses are not supported with documentary evidence. Recommendations for disciplinary action is also not clearly made in the reports. Moreover, format of the enquiry report is not uniform. This Directorate has, therefore, prepared a format for the inquiry reports. The format is enclosed. We would request that format be adhered to.

We would also request you to follow the above suggestions for streamlining the complaint handling mechanism in Anti Corruption Branch of this Directorate. Necessary instructions may be issued to Enquiry Officers for strict compliance.

Yours faithfully,

Sd/-
(Ashutosh Kumar)
Addl. Secretary (Vigilance)

Encl : as above: as above

No.F.01/11/2008/DOV/9574-78

Dated: 29.12.2008

Copy for information to:

- (1) Chief Secretary/Chief Vigilance Officer, GNCTD.
- (2) OSD to Lt. Governor, Delhi.
- (3) Pr. Secretary to Chief Minister, Delhi Govt.
- (4) Director, Central Vigilance Commission, Satarkta Bhawan, GPO Complex, INA, New Delhi. It has also a reference to their letter No. 007/VGL/009/22082 dated 24th Sept.,2008.
- (5) Guard File.

Sd/-
(Ashutosh Kumar)
Addl. Secretary (Vigilance)

DIRECTORATE OF VIGILANCE
Govt. of N.C.T. of Delhi
Delhi Secretariat, I.P. Estate, New Delhi-110002

Sub'.-Meeting regarding decision on the action to be taken as the complaints received in ACB and DOV.

At present a mechanism of examining complaints received in Directorate of Vigilance by a Committee consisting of Addl. CP/ACB, Addl. Secretary (Vigilance), every fortnight on 1 & 15, and decide the further course of action to be taken on such complaint is being followed. Decisions taken are mainly to refer the matter to:-

- (a) Concerned Department for sending comments/enquiry and report within stipulated time-
- (b) ACB of Directorate of Vigilance to conduct enquiry and report.
- (c) Vigilance Wing of Directorate of Vigilance to take up enquiry.
- (d) File the complaint if found anonymous/pseudonymous as per CVC's guidelines.

To make the Complaint enquiry mechanism more effective, transparent and time bound, it has been decided that-

- (a) All such complaint referred to Addl. CP, ACB for enquiry and report, will be given unique identification No» and such complaint when assigned to ACP/inspectors will be entered in computer, (which may have sharing information system, with Director/Pr. Secretary (Vig.) to enable a monitoring of progress.
- (b) In next fortnight meeting, progress made in complaints already referred to ACB/other Deptt. will be obtained and compiled by Asstt. Director, Directorate of Vigilance for placing before the "Committee".
- (c) All complaints received in Directorate of Vigilance (ACB pr Vigilance Wing) will be placed before the "Committee" for its preliminary examination and allocation to concerned Deptt./ACB. If Vigilance or ACB receives any complaint which needs expeditious enquiry, and to wait for fortnightly meeting may not be possible, either a meeting can be called earlier or a decision can be taken by sending the concerned file and formal orders allocating the complaint, may be issued after placing it before the fortnightly meeting of the "Committee".

Sd/-

(Ashutosh Kumar)
Addl. Secretary (Vig.)

Addl. CP/ACB

***Directorate of Vigilance GNCTD Delhi Sectt.
IP Estate, New Delhi***

The matter regarding fortnightly meeting was put up before the Pr. Secretary & Director (Vig.). He observed that despite his orders conveyed vide letter No 2314-15 dated 9-4-08 complaints received in the Anti Corruption Branch are not being put up in the fortnightly meeting. He has taken serious view of the absence of action on his instructions. However, he has advised that henceforth all the complaints received in the ACB shall be put up in the fortnightly meeting in the format prescribed by the DOV.

Pr. Secretary & Director (Vig.) has also reiterated that meeting should be held with periodicity of the fortnight and regularly and Addl. CP being an important functionary should invariably attend such meetings. However, if there is any urgent work at his end, he may monitor it from the Directorate of Vigilance while attending these meetings.

This issues with the prior approval of Pr. Secretary & Director (Vig.).

Sd/-
(Ashutosh Kumar)
Addl. Secretary (Vig.)

Addl. CP/ACB
UO No. 30/03/2008/DOV/Vol-II//3882
Dated:9/5/08

DIRECTORATE OF VIGILANCE
GOVT. OF NCT OF DELHI
4th Floor, C-Wing, Delhi Sachivalaya,
1.P. Estate, New Delhi.

Sub: *Meeting regarding decision on the action to be taken as the complaints received in ACB and DOV*

Please refer to your U.O. No. 57/P.Sec./DCP-I/ACB dated 14/7/2008. It is conveyed that as per discussion between the Addl. CP, ACB and the Pr. Secretary(Vig.), complaints received in the Anti Corruption Branch would be disposed of by the Addl. CP on daily basis. It has also been conveyed that only complaints needed to be enquired into, action warranted would be brought to the notice of the Pr. Secretary (Vig.) as per the practice followed.

The matter was placed before the Pr. Secretary (Vig.). Following instructions have been given by the Pr. Secretary (Vig.):-

1. Any complaint either received in the Vigilance Wing or the Anti Corruption Wing of the Directorate, has to be dealt as per the mechanism put in place and without any deviation from the set mechanism.
2. In case any complaint received in the Anti Corruption Wing/Vigilance wing is found fit for closure on the first examination undertaken at the level of the Addl. CP, ACB/Addl. Secretary (Vig.), as the case may be, the matter be put on record and placed before the Committee which meets fortnightly. Such cases would be sent to the Directorate at least two days before the scheduled date of meeting.
3. Any complaint on which action needs to be taken, it would be placed before the fortnightly meeting. In case action is required to be taken urgently and without any loss of time, Director (Vig-) may be informed.
4. Any complaint in which consultation with Director(Vig.) is required, such matters may be discussed with the Director and Complaint Handling Committee informed.

Pr. Secretary (Vig.) has desired that these instructions may be strictly followed and there should be no deviation from the set mechanism.

Sd/--
(Ashutosh Kumar)
Addl. Secretary(Vigilance)

DCP. Anti Corruption Branch
U.O. No.30/03/2008/DOV/Vol-III/6808

Dated: 17/9/08

**DIRECTORATE OF VIGILANCE
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**

COMPLAINT HANDLING POLICY

1. Each complaint received in the Directorate of Vigilance (Vigilance Division/Anti Corruption Branch) shall be given a **unique number**. The unique number may be given manually till the time the software is fully ready to generate computerized number.
2. **Each complaint shall be examined thoroughly** by the C.V.O. or any officer/official authorized by the C.V.O. or by any such Committee constituted for the purpose in Directorate of Vigilance.
3. Complaints shall be examined to carefully ascertain;
 - (i) if they contain any **vigilance angle**;
 - (ii) if contents of the complaint are **verifiable**;
 - (iii) if the complaints are **anonymous/pseudonymous**.
4. **Vigilance angle** in the complaint shall be examined in the light of the relevant provisions of the CVC Manual, which defines the vigilance angle.
5. Complaints containing **vague, non-verifiable/general** allegations may either be filed at the level of the Directorate or forwarded to the concerned departments for action as deemed fit.
6. In accordance with instructions issued by the Central Vigilance Commission vide letter dated 31.1.2002 and reiterated vide letter dated 11.10.2002, complaints which are **anonymous/pseudonymous shall be filed**.
7. To ascertain that complaint is pseudonymous, efforts shall be made to contact the complainant either by sending a letter to him on the address given in the complaint or to contact him on telephone if such number is mentioned in the complaint. Further **action shall be taken only after confirmation is obtained that a particular person had made a particular complaint**.
8. The **identity and details of the complainant shall** as far as possible **be kept secret** unless the complainant has himself chosen to reveal his identity.
9. If the complaint contains any vigilance angle and the allegations are verifiable but the complaint is anonymous/pseudonymous, further action for enquiry in such cases shall be taken only **after prior permission from the Central Vigilance Commission**.
10. Local newspapers also carry items relating to corruption. A large number of such clippings are received. Such **clippings/items may not be taken as anonymous/pseudonymous** complaints. These shall be examined closely and minutely.
11. **References made by CVC either under PIDR or otherwise shall be accorded special attention** and enquiry completed within the time frame suggested by the Commission.
12. Depending on the nature and scope of the complaint, a **period of not more than 3 months shall be taken to complete the investigation/inquiry**.
13. **Inquiry/investigation report** in the complaint **shall be submitted strictly in accordance with the format suggested**.

FORMAT FOR ENQUIRY REPORT

(In seven separate parts)

PART - I

INTRODUCTORY DETAILS

Date of receipt of complaint in ACB	Complaint received from (a)Source (b)Directorate of Vigilance (c) Others	If received from source then source code	Names and Deptt. of public servants mentioned in the complaint	Name of IO	Time taken by IO to submit final report

PART - II

ALLEGATIONS

Name of the Public servants	Allegations
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.
8.	8.
9.	9.
10.	10.

PART - III

EVIDENCE COLLECTED

Documentary	Oral
1.	1.
2.	2.
	3.
3.	4.
4.	5.
5.	6.
6.	7.
7.	8.
8.	9.
9.	10.
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PART - IV

ANALYSIS/DISCUSSION OF EVIDENCE

PART - V

CONCLUSION

Name of the Public Servant	Misconduct noted	Evidence supporting Misconduct
1.		
2.		
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Part-VI

RECOMMENDATIONS

Name of the public Servant	Recommendation for disciplinary Action/prosecution	Recommendation for preventive vigilance
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Name & Signature of the Inquiry Officer

Signature

(Name & Designation)

PART-VII

VIEWS OF ADDL. CP/JT. CP, ACB

A. VIEWS

B. FINAL RECOMMENDATIONS

Name of the public Servant	Recommendation for disciplinary Action/prosecution	Recommendation for preventive vigilance
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Signature of
the Addl. Commissioner of Police/ACB

Part-VIII

ENCLOSURES

Documentary Evidence(*)	Page Number	Oral Evidence(*)	Page Number	Draft Charge- sheet	Page No.
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

(*) Copies of the authenticated documents be annexed.

Confidential

DIRECTORATE OF VIGILANCE

GOVT. OF NCT OF DELHI
4th Floor, C-Wing, Delhi Sachivalaya,
I.P. Estate, New Delhi.

No.F.01/11/2008/DOV/9714-9791

Dated:31/12/08

To

All Head of Departments
Govt. of N.C.T. of Delhi,
(As per list attached)

Sir/Madam,

This Directorate has formulated a Complaint Handling Policy. The Policy is based on the guidelines issued by the Central Vigilance Commission and has also been approved by the Commission vide their letter No.007/VGL/009/22082 dated 24th Sept., 2008. We are enclosing the approved policy for information and further action at your end.

We also feel it important to mention that in addition to the policy, this Directorate has also constituted a Committee under the Chairmanship of Pr. Secretary-cum-Director (Vigilance). Addl. Secretary (Vigilance) and Addl. Commissioner of Police (Anti Corruption Branch) are members of the Committee. The Committee meets every fortnight. All the complaints received in the Directorate during the fortnight are scrutinized by the Committee and decision in accordance with the policy is taken on every complaint. The mechanism helps in faster decision and better management of records of complaints. We would request that a similar mechanism may be considered to be adopted.

Further, it has been noticed that many a times enquiries conducted by the departments into the complaints forwarded by the Directorate of Vigilance or the Central Vigilance Commission are not as detailed and objective as the contents of the complaint would require it to be. Besides, allegations are also not succinctly mentioned in the enquiry report and findings about misconduct/lapses not supported with documentary evidence. Recommendations for disciplinary action is also not clearly made in the reports. Moreover, format of the enquiry report is also not uniform. This Directorate has also prepared a format for the inquiry reports. The format is enclosed. We would request that suggested format be adopted and adhered to.

Contd....

-2-

We would request you to consider the above suggestions for streamlining the complaint handling mechanism in your department. A report on the action taken would be highly appreciated.

Yours faithfully,

Sd/-

(Ashutosh Kumar)

Addl. Secretary (Vigilance)

Encl: as above

**DIRECTORATE OF VIGILANCE
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**

COMPLAINT HANDLING POLICY

1. Each complaint received in the Directorate of Vigilance (Vigilance Division/Anti Corruption Branch) shall be given a **unique number**. The unique number may be given manually till the time the software is fully ready to generate computerized number.
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 - a. if they contain any **vigilance angle**;
 - b. if contents of the complaint are **verifiable**;
 - c. if the complaints are **anonymous/pseudonymous**.
4. **Vigilance angle** in the complaint shall be examined in the light of the relevant provisions of the CVC Manual, which defines the vigilance angle.
5. Complaints containing **vague, non-verifiable/general** allegations may either be filed at the level of the Directorate or forwarded to the concerned departments for action as deemed fit.
6. In accordance with instructions issued by the Central Vigilance Commission vide letter dated 31.1.2002 and reiterated vide letter dated 11.10.2002, complaints which are **anonymous/pseudonymous shall be filed**.
7. To ascertain that complaint is pseudonymous, efforts shall be made to contact the complainant either by sending a letter to him on the address given in the complaint or to contact him on telephone if such number is mentioned in the complaint. Further **action shall be taken only after confirmation is obtained that a particular person had made a particular complaint**.
8. The **identity and details of the complainant shall** as far as possible **be kept secret** unless the complainant has himself chosen to reveal his identity.
9. If the complaint contains any vigilance angle and the allegations are verifiable but the complaint is anonymous/pseudonymous, further action for enquiry in such cases shall be taken only **after prior permission from the Central Vigilance Commission**.
10. Local newspapers also carry items relating to corruption. A large number of such clippings are received. Such **clippings/items may not be taken as anonymous/pseudonymous** complaints. These shall be examined closely and minutely.
11. **References made by CVC either under PIDR or otherwise shall be accorded special attention** and enquiry completed within the time frame suggested by the Commission.
12. Depending on the nature and scope of the complaint, a **period of not more than 3 months shall be taken to complete the investigation/inquiry**.
13. **Inquiry/investigation report** in the complaint **shall be submitted strictly in accordance with the format suggested**.

FORMAT FOR ENQUIRY REPORT

(In seven separate parts)

PART - I

INTRODUCTORY DETAILS

Sl. No.	Date of receipt of complaint	Complaint received (a)Directly (b)Directorate of Vigilance (c)others (if no details)	If received directly then name of the complainant	Name(s) & Designation (s) of public servants mentioned in the complaint	Name of officer nominated for enquiry	Time taken by IO to submit final report
1	2	3	4	5	6	7

PART - II

ALLEGATIONS

Name of the Public servants	Allegations
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.
8.	8.
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10.	10.

PART - III

EVIDENCE COLLECTED

Documentary	Oral
1.	1.
2.	2.
	3.
3.	4.
4.	5.
5.	6.
6.	7.
7.	8.
8.	9.
9.	10.
10.	

ANALYSIS/DISCUSSION OF EVIDENCE

PART - V

CONCLUSION

Name of the Public Servant	Misconduct noted	Evidence supporting Misconduct
1.		
2.		
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RECOMMENDATIONS

Name of the public Servant	Recommendation for disciplinary Action/prosecution	Recommendation for preventive vigilance
1.		
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Name & Signature of the Inquiry Officer

Signature

(Name & Designation)

VIEWS OF THE HEAD OF DEPARTMENT

A. VIEWS

B. FINAL RECOMMENDATIONS

Name of the public Servant	Recommendation for disciplinary Action/prosecution	Recommendation for preventive vigilance
1.		
2.		
3.		
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5.		
6.		
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9.		
10.		

Signature of the Head of Department

Part-VIII

ENCLOSURES

Documentary Evidence(*)	Page Number	Oral Evidence(*)	Page Number	Draft Charge- sheet	Page No.
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
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10.					

(*) Copies of the authenticated documents be annexed.

