

From

To
The Chief Secretary to Govt., Haryana.

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1. All the Administrative Secretaries to Government, Haryana.
 2. All the Heads of Departments.
 3. Commissioners Ambala, Hisar, Gurgaon & Rohtak Divisions and all the Deputy Commissioners in the State.
 4. The Registrar, Punjab & Haryana High Court, Chandigarh.
 5. The Managing Directors/Chief Administrators of all the Boards/Corporations of Haryana State.
 6. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the 29th January, 2016.

Subject: Preventive Vigilance/Role and Functions of the Chief Vigilance Officers.

Sir/Madam,

I am directed to invite your kind attention to the subject cited above and to say that it is far more effective to prevent corruption than to take punitive measures which are both expensive and time consuming. Hence, Government vide letter No.62/38/2014-6GSI, dated 01.01.2015 advised all Heads of Departments/Boards/Corporations to create a dedicated Vigilance wing and appoint a Chief Vigilance Officer who will act as the nodal officer for all vigilance related matters and to root out corruption using a preventive and participatory strategy.

Appointment of Chief Vigilance Officers (C.V.Os) and Vigilance Officers

Heads of Departments/Boards/Corporations should appoint officers of an appropriate level preferably immediately below the Head of Departments/Boards/Corporations so that they can report directly to the concerned Head of Departments/Boards/Corporations as C.V.O. for that Department/Board/ Corporation. Officers with impeccable integrity, proven merit, experience in supervising enquiries and clear from Vigilance angle should be preferred for such posts, so that they can play a very useful role in prevention and detection of corruption. Hence, they should be appointed in consultation with the State Vigilance Bureau.

The name of the officer appointed as Chief Vigilance Officer may be intimated to the Vigilance Department with copy to the State Vigilance Bureau. Any change in the incumbency of the Vigilance Officer should also be reported accordingly.

Similarly, suitable and appropriate number of Vigilance Officers should be appointed in the Vigilance Wing of the Departments/Boards/Corporations.

The name and designation of the Chief Vigilance Officer alongwith his office address, office phone number, mobile Number, e-mail address, Fax No., if any, should be made available on the official website of the concerned Department/Board/Corporation.

In addition, the Heads of Departments/Boards/Corporations will ensure that hoardings/flex boards containing such details of CVOs are installed at their Headquarters and field offices.

Role and Functions of HoD's and CVO's

The Chief Vigilance Officer is expected to function as the special assistant to the Head of Department/Office in all matters connected with Vigilance, including the following :-

(i) Points and Places of Corruption

Heads of Departments/Boards/Corporations in consultation with the C.V.O. and other officers working under their control, shall prepare a list of points and places in their organization, where corrupt practices are prevalent. Special attention shall be paid to eradication of corruption at these points and places by adopting a two-pronged strategy-process re-engineering and induction of information technology. Special care shall be taken to post officials having good integrity at these points and places. A discrete and unobtrusive watch shall also be maintained by the gazette officers in whose jurisdiction such points and places are situated followed by surprise checks as and when considered appropriate. Surprise checks at these points and places should be conducted by gazette officers after thoroughly acquainting themselves with the modus operandi adopted by the corrupt public servants. This list shall be updated in the month of January every year. Every Department/Board/Corporation shall identify Top 5 Areas of corruption to begin with and make them free of corruption.

(Action: HOD in consultation with CVO)

(ii) List of Officers of Doubtful Integrity (ODI)

All Heads of Departments/Boards/Corporations shall prepare a list of Officers of Doubtful Integrity (ODI) in the month of January every year. Names of Gazetted Officers and subordinate ranks who are convicted in a court of law or awarded major penalty in criminal or disciplinary proceedings respectively, on charges of lack of integrity, or for an offence involving moral turpitude or against whom such proceedings are pending, shall be included in the ODI list. Names of those officers who were prosecuted for such offences but were acquitted on technical grounds, and in whose case, on the basis of evidence adduced during the trial, there remained a reasonable suspicion of lack of integrity may also be included. The ODI list shall be updated every year and a copy published on the website.

Alongside the ODI list, Heads of the Departments/Boards/Corporations shall also prepare/update a list of sensitive assignments and those involving public dealing and publish the same on their website. Officers figuring in the ODI list shall not be posted to sensitive assignments or those involving public dealing. When name of an officer/official is included in the ODI list, he shall ordinarily be transferred to another wing/district on administrative grounds.

(Action: HOD in consultation with CVO)

(iii) List of Undesirable Contact Men (UCMs)

All Heads of the Departments/Boards/Corporations shall prepare a list of undesirable contact men (UCMs) who are suspected of facilitating corrupt and/or

irregular practices in public offices functioning under their control. This list will be circulated in all Government offices and Heads of offices are advised to NOT let these UCMs operate in their offices. An unobtrusive watch/check shall be carried out on the activities of such persons with a view to identify their further contacts, modus operandi and specific instances of corruption/malpractice.

(Action: HOD in consultation with CVO)

(iv) **Monitoring of Disciplinary Cases based on Vigilance reports**

CVO will keep track of the progress of disciplinary cases based on Vigilance reports against Officers found prima facie guilty of misconduct and ensure the expeditious disposal of such cases. Delinquent public servants must be awarded exemplary punishment for their misconduct in a timely manner so as to curb corruption and inefficiency. CVO will intimate progress made in such departmental enquiries initiated on the recommendation of the Vigilance Bureau from time to time and also about the decision taken in such enquiries to the Vigilance Department and to the Vigilance Bureau. The CVO shall update the list monthly & submit to HoD for his/her perusal.

(Action: CVO)

(v) **Review of the existing Organization and procedure**

CVO will make detailed examination of the existing Organization and procedure with a view to eliminating or minimizing scope of corruption/malpractices. He will also take necessary steps to identify the loopholes in practice/procedure and suggest measures to the HoD/ Administrative Secretary for action.

(Action: CVO)

(vi) **Simplification of Rules and Procedures**

CVO should advise & assist the HoD in order to try to simplify the rules and procedures as far as possible. Such information pertaining to discharge of functions should be made available on the official website of the Department/Board/ Corporation.

(Action: CVO)

(vii) **Co-operation in Vigilance Enquiries/Cases**

CVO will maintain liaison with the Vigilance Bureau in respect of Vigilance Enquiries/Investigations. In this regard, he will take necessary steps to ensure that I.O's of Vigilance Bureau get due co-operation from his Department/Organisation. In particular, he will ensure that there is no undue delay in submission of records in enquiries/cases, despite Govt. instructions issued vide memo No. 9/17/96-1Vig(I) dated 16.10.1996, that record as sought by the I.O's of the State Vigilance Bureau in enquiries should be provided within 48 hours under proper receipt and also maintain a shadow/copy of the record.

(Action: CVO)

(viii) **Providing detail of ongoing Civil Works**

As per instructions issued by the Vigilance Department, vide No.64/9/2001-2Vig.II dated 12.05.2015, various Engineering Departments have been directed to send consolidated list of ongoing works each costing more than Rs.1 Crore, for special checking, to State Vigilance Bureau, Haryana, twice a year by the stipulated

dates i.e. 15th January & 15th July of the respective year. The concerned Chief Vigilance Officers should ensure the needful.

(ix) Complaints relating to Corruption

(Action: CVO)

CVO will ensure that all complaints relating to corruption are looked into promptly and appropriate action taken. If, in any case, the Chief Vigilance Officer feels that the allegations require enquiry from Vigilance Department, it can be referred to Vigilance Department through the HoD/Administrative Secretary concerned. In addition, he will send the complainant or convey/send confidential actionable information/complaints specially relating to red-handed traps to the Director General, State Vigilance Bureau, Haryana or concerned field unit of State Vigilance Bureau so that prompt legal action can be taken.

Further, complaints sent by the SVB to the Departments/Boards/Corporations should be enquired into by the Chief Vigilance Officers/Vigilance Officers of the Departments/Boards/Corporations and report sent to the SVB for further appropriate action through the HoD/Administrative Secretary.

(x) Action against employees convicted in corruption cases

(Action: CVO)

As per Govt. instructions issued vide Circular letter No. 4819-G II-57/11919, dated 08.07.1957, a Government servant convicted of charges involving moral turpitude should be dismissed or removed from service immediately on receipt of intimation of conviction without waiting for appeal or revision. The mere fact that an appeal has been filed by the Government servant against his conviction should not deter the punishing authority from inflicting a suitable punishment on him. It is clear from the above instruction that merely suspension of sentence by the appellate Court does not debar the competent authority to take decision against an employee on the basis of the conduct, which led to his conviction.

It has been observed that many officers/officials who stand convicted in criminal cases on the grounds of corruption are continuing in service. Disciplinary proceedings against such officers/officials have been allowed to linger on for years. Disciplinary proceedings in all such cases be initiated/completed expeditiously and action be taken as per rules/law.

The C.V.O. will ensure that proper action against such convicted employees is taken within a period of 3 months of their conviction and assist the HoD/ Administrative Secretary in this important action. However, the convicted employees should not continue on public dealing assignments which enables them to continue their corrupt activities. Further, action taken in this regard should be intimated to the Vigilance Department.

(Action: HOD in consultation with CVO)

(xi) Sending of quarterly reports by the CVO's

CVO's will send a quarterly report of the activity & functioning of Vigilance Wing of their respective department/organisation to the Vigilance Department in the prescribed format (copy enclosed) at the end of each quarter.

(Action: CVO)

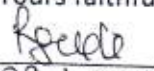
(xii) Submission of Annual Property Return by the Government employees

Rule-18 of the Government Employees (Conduct) rules, 1966 require filing of 'Annual Property Return' by Class-I, II and III Government employees (except All India Services Officers who are covered under AIS Rules). It has been observed that the 'Annual Property Return' is not being filed by the Government employees regularly. The Government has decided to closely monitor the filing of property return by Class-I and II Government employees. Chief Secretary (General Administration Department) vide letter No.2/8/2015-2GS1, dated 9th December, 2015 and subsequent reminder dated 19th January, 2015 has requested you to provide information regarding the number of officers who have not submitted their property return. The requisite information is awaited from a number of departments. You are again requested to provide the requisite information regarding number of officers, who have not submitted their property return till date, in the proforma sent with letter No.2/8/2015-2GS1, dated 19th January, 2015 directly to the Chief Secretary (in General Administration Department) without any further delay. As per the conduct rules and the various instructions, the compliance be strictly made and reported in two weeks.

2. Besides, the following instructions may also be noted for action by all the departments/organizations :-

- (i) Monthly meetings should be held at the level of Administrative Secretary to review the activities & functioning of the Vigilance Wing of his respective department/organisation. These may be clubbed with the officers monthly review meetings of the department.
 - (ii) Administrative Secretaries & Heads of the Departments shall ensure the adequate staff provided in the Vigilance Wing of their respective department/organisation for the work of vigilance exclusively. The CVO's may be assigned general work like Establishment, Design etc. but should not have a line function.
 - (iii) Administrative Secretaries & Heads of the Departments, will check position regarding officers/officials of their respective department/organisation convicted on the grounds of corruption and ensure that action as per Law and Civil Service Rules is taken against them within next two weeks under intimation to the Chief Secretary (in Vigilance Department).
 - (iv) Annual Administrative Report of all the departments/organisations should have a separate chapter on Vigilance/Internal Vigilance activity of the financial year under report.
3. Please ensure strict compliance of the above instructions.

Yours faithfully,


29-1-2016

Superintendent Vigilance-II,
for Chief Secretary to Government Haryana.