A CONCEPTUAL OVERVIEW ON INVESTIGATION & REPORT

2025

VIGILANCE DEPARTMENT
HINDUSTAN COPPER LTD

BACKGROUND

- **Santhanam Committee on "Prevention of Corruption"**
- **Finding: Inadequacy of existing system of vigilance administration, Lack of uniformity in action & dynamic integration**
- **Recommendation: Creation of CVC for effective superintendence of vigilance administration in the country**
- **Resolution of 11.02.1964 to constitute CVC**
- **CVC Act, 2003 dated 11.09.2003 to grant Statutory status**

ORGANISATIONS UNDER CVC'S JURISDICTION

- **All Mininsteries/Deparrtments of Central Govt. and UTs**
- **Companies, Corporations, Corporations and Organisations owned or controlled by the Central Govt.**
- **Public Sector Banks, Insurance Companies & Financial Institutions, CPSEs etc.**
- **Societies & local authorities owned/controlled by Central Govt.**
- **Autonomous organizations, Port Authorities, etc.**

EMPLOYEES UNDER CVC'S JURISDICTION

- Members of all India Services
- Group 'A' officers of Central Govt.
- CPSUs – (Schedule 'A' and 'B') - Board Level and E-8 & above Executives
- CPSUs – (Schedule 'C' and 'D') - Board Level and E-7 & above Executives
- RBI, NABARD, SIDBI - Officers in Gr. D and above
- Public Sector Banks - Officers of Scale-V and above
- General Insurance Cos - Managers & above
- LIC - Sr. Divisional Mgrs. & above
- Societies / Local Authorities - Officers drawing Basic Pay of Rs. 8700/- & above. [as revised from time to time]

VIGILANCE ANGLE

- **Vigilance Angle defined in Para 1.4 of Vigilance Manual-2021**

- **Vigilance Angle clearly exists in following cases:-**

  - **Demanding and / or acceptance of bribe for an official act**
  - **Obtaining valuable things from a person having or likely to have official dealings or where public servant can exert influence**
  - **Obtaining any undue favour in cash or kind by corrupt or illegal means or by abusing position as public servant**
  - **Possession of assets disproportionate to known sources of income**
  - **Cases of misappropriation, forgery, cheating, criminal offences**

VIGILANCE ANGLE

- **Assessment of circumstances is needed to see if wrongdoing has been done with some ulterior motives, leading to doubt about integrity as in following cases :-**
  - **Gross or willful negligence;**
  - **Recklessness in decision making;**
  - **Blatant violations of systems and procedures**
  - **Misuse of discretionary powers**
  - **Causing undue loss to organization or a concomitant gain to an individual / parties**
  - **Unjustified delay in decision making or processing of cases**

PUNITIVE VIGILANCE

- **Investigation into acts of improper conduct by employees**
- **Initiation of Disciplinary Action – if required**
- **Constant supervision of Disciplinary Action**
- **Issuance of Penalty Orders**
- **Advises sanction for prosecution, if necessary**
- **CVC's or CVO's advice required in vigilance matters**

TIMELY COMPLETION OF DISCIPLINARY ACTION

- **Timely initiation and completion of departmental action – essential for effective vigilance administration**
- **Undue delay - lack of intent and effectiveness of management**
- **CVC's emphasis on timely finalization of vigilance matters**
- **Issue of Charge Sheet / appointment of IO/PO – 2 months from CVC's Advice**
- **IO to submit report within 6 months,**
- **Chargesheet to issuance of final orders-18 months**

MODEL TIME LINE (PARA 7.47.2 OF VIG MANUAL-2021)

S. N.	STATE OF INVESTIGATION OR INQUIRY	TIME LIMIT
1	Decision as to whether the complaint involves a vigilance angle.	Two months from receipt of the complaint.
2	Conducting investigation and submission of report.	Three months.
3	Department's comments on the CBI reports in cases requiring Commission's advice.	One month from the date of receipt of CBI's report by the CVO / Disciplinary Authority.
4	Referring Departmental investigation reports to the Commission for advice.	One month from the date of receipt of investigation report.
5	Reconsideration of the Commission's advice, if required.	Two months from the date of receipt of Commission's advice.

S. N.	STATE OF INVESTIGATION OR INQUIRY	TIME LIMIT
6	Issue of charge-sheet, if required.	(i)One month from the date of receipt of Commission's advice. (ii)Two months from the date of receipt of investigation report.
7	Submission of defence reply / statement.	Ordinarily ten days or as specified in CDA Rules. However, in respect of members of AIS, it is 30 days which is further extendable by 30 days but not exceeding 90 days. [Rule 8(5)(b) of AIS(D&A) Rules, 1969].
8	Consideration of defence reply / statement.	Within 15 (Fifteen) days.

S. NO.	STATE OF INVESTIGATION OR INQUIRY	TIME LIMIT
9	Issue of final orders in minor penalty cases.	Two months from the receipt of defence statement.
10	Appointment of IO / PO in major penalty cases.	Within 15 (fifteen) days after receipt and consideration of defence statement.
11	Conducting Departmental inquiry and submission of report.	Six months from the date of appointment of IO / PO.
12	Sending a copy of the IO's report to the Charged Officer for his representation.	(i) Within 15 (fifteen) days of receipt of IO's report if any of the Articles of charge has been held as proved; (ii)15 (fifteen) days if all charges held as not proved. Reasons for disagreement with IO's findings to be communicated.

S. N.	STATE OF INVESTIGATION OR INQUIRY	TIME LIMIT
13	Submission by charged officer to IO's findings / DA's disagreement note.	Within 15 (fifteen) days.
14	Over all time limit for conclusion of disciplinary proceedings.	DoPT vide OM No. 372/3/2007AVD-III (Vol. 10) dated 14.10.2013 has prescribed a time limit of 18 months for completion of major penalty proceedings against Government servants from the date of delivery of charge-sheet and till the date of passing of final orders.

SENSITIVE CORRUPTION PRONE AREAS

- Resource allocation like rights, lease, licence, loans etc.;
- Public service delivery and social welfare schemes;
- Auction / Sale of material;
- Public procurement activities;
- Recruitment, promotions, transfers, postings etc.;
- Determination of tax and fee liability;

FRAUD TRIANGLE

SANCTIONS FOR INVESTIGATION & PROSECUTION

SANCTION FOR INVESTIGATION

- **Mandatory requirement to seek previous approval for conducting inquiry / investigation against a public servant**

- **For recommendation / decision by such public servant in discharge of official functions**

- **Pertaining to allegation of commission of offence under Prevention of Corruption Act (Amended in 2018).**

SANCTION FOR INVESTIGATION

POINTS TO BE KEPT IN MIND BY INVESTIGATING AGENCY(CBI) WHILE SEEKING THE SANCTION FOR INVESTIGATION:

- **Specific misconduct attributable to public servant(s)**
- **Whether acts are related to official conduct of public servant(s)**
- **The specific decision taken by such public servant(s) ; and**
- **Deriving of an undue advantage for self or any other person - key ingredient for establishing an offence under PC Act**
- **Matter to be placed before Police Officer of Appropriate Rank for seeking previous approval under section 17A**

SANCTION FOR INVESTIGATION

- **The proposal from CBI to contain the following information :-**
  - **The office held by public servant (s) when offence was committed;**
  - **The present rank and status of the public servant ; OR**
  - **Post / office last held by the person who ceases to be public servant ;**
  - **The Authority, to whom proposal for previous approval is to be made**

SANCTION FOR INVESTIGATION

- **Separate proposal in respect of each public servant**

- **An officer, not below the rank of an Under Secretary to be designated for receiving proposals for approval under section 17(A) of PC Act**

- **Incomplete proposals to be returned for removing deficiencies within a reasonable period of time**

- **The statutory timelines for processing of proposal shall be from the date of receipt of complete proposal**

SANCTION FOR INVESTIGATION

- **Time line is 3 months – extendable by one more month – with reasons to be recorded in writing**

- **Legal consultations, if required, will be undertaken in accordance with procedures of the Appropriate Authority**

- **The Appropriate Authority to examine the proposal, by independent application of mind**

Ranks of Police Officer for Seeking Previous Approval Under Section 17A in Respect of Different Categories of Public Servants

S. N.	Designation/ Rank or equivalent	Rank and Status of persons who are or have been Public Servants
1.	Director General of Police or equivalent	i. Union Ministers, rank equivalent to Cabinet Ministers / Minister of State ii. MP, MLA, MLC iii. Chief Ministers & Ministers of State Governments iv. Judges of the Supreme Court and High Court v. Public Servants drawing pay at level 16 & above and their equivalent vi. Chairpersons / MDs of PSEs (both Central and State) and PSBs (Board level)
2	Director General of Police / Addl. DG of Police or equivalent	i. Public servants drawing pay at level 14 & 15 and its equivalent ii. Board level (Directors), Senior Management level appointees, (Pay level E7 to E9), Eds, Dy MDs of PSEs (both Central and State) and PSBs and their equivalent

S. No.	Designation/ Rank or equivalent	Rank and Status of persons who are or have been Public Servants
3	Inspector General of Police or equivalent	i. Public servants drawing pay at level 11 to 13 and 13A as per Seventh pay Commission and its equivalent ii. Middle management level officers of PSEs (Pay level E3 to E6) (both Central and State) and PSBs and their equivalent
4	Deputy Inspector General of Police, SSP, SP or ASP	i. Public servants drawing pay below level 11 as per Seventh Pay Commission and its equivalent. ii. Junior management level officers of PSEs (Pay level E0 to E2) (both Central and State) and PSBs and their equivalent.

PART-I

SOURCE OF INVESTIGATION, PRELIMINARY INVESTIGATION, PREPARING AND PLANNING DETAILED INVESTIGATION

- **Scrutiny of information about corruption or any misconduct received through identifiable source. (Para 3.1 of CVC Vigilance Manual, 2021)**

- **If allegations are verifiable and specific, it is to be determined if, prima facie, the same are sustainable.**

- **Preliminary Enquiry may be conducted to verify facts.**

- **Preliminary Enquiry to be based only on scrutiny of records.**

- **To decide, if detailed departmental investigation or investigation by Law Enforcement Agency (LEA) is required.**

- **If collection of evidence / documents etc. from Non-Official Persons required, then refer to LEA with concurrence of CVO with Chief Executive's concurrence.**

- **Investigation by LEA to be recommended for :-**

  i) Criminal offences involving bribery – corruption – forgery – cheating - possession of disproportionate assets etc.

  ii) Also for inquiries from non-official persons; or those involving examination of other / non-govt records, books of accounts, etc.

- **CBI is the preferred LEA as it has natural jurisdiction over employees of Central Govt. Organisation.**
- **In case - allegations have criminal and procedural elements (both)-CVO to consult CBI - as to which allegations to be left to them and which one to be dealt with departmentally.**
- **If difficult to separate allegations for investigation in the manner suggested above – better to entrust whole case to CBI.**
- **Departmental investigation to be recommended for specific verifiable misconduct i.e. Violation of Service Rules - Other than criminal misconduct.**

- **If complaint being taken up for detailed investigation - confirmation and proof of identity from complainant is a mandatory requirement.**

- **Confirmation to be done for complaints received directly from complainants or referred by CVC or any other agency - for necessary action.**

- **Complaints received under PIDPI Resolution from CVC or Designated Authority – not to be confirmed (verification already done by them).**

- **Complaints received for 'Investigation & Report' / 'Factual Report' from CVC or Lokpal - not to be confirmed.**

- **If confirmation is not received in 15 days - reminder to be sent.**
- **If no confirmation within 15 days of reminder – complaint to be filed as pseudonymous complaint.**
- **Standardized format for confirmation / reminder to be devised. An illustrative format attached.**
- **Proof of identity may be any document issued by any Government Agency. (E.g. Aadhar, PAN etc)**
- **Confirmation / proof of identity to be sought and obtained through post only.**

- **As per Para 3.10 of CVC Vigilance Manual, 2021, No action to be taken on anonymous / pseudonymous complaints. (OM dt.09.10.2024)**

- **Complaint against Board Level Officers – if received in the organization where they are working – to be forwarded to CVO of Administrative Ministry.**

- **Investigating Officer to be decided based on scope of investigation and his knowledge about rules, regulations, procedures and practices relating to the allegations.**

- **Investigating Officer to segregate verifiable / non verifiable allegations, to decide the scope of investigation.**

PRELIMINARY INVESTIGATION (PI)

- **The objective of the PI is to seek answers to basic questions:**
  - **<u>What</u> happened? (Wrongful omission / commission).**
  - **<u>Who</u> did it or is responsible? (persons, i.e. employees of the company or outsiders).**
  - **<u>Where</u> to look and find information? (Location / documents / files / e-files / other digital evidences).**
  - **<u>When</u> did the incident occur / act committed? (Time period).**
  - **<u>How</u> was the act committed? (Methodology).**
  - **<u>Why</u> was the act committed? Motive? (Malafide or Bonafide).**

PLANNING THE INVESTIGATION

- **Points to be kept in view (as per applicability of verifiable allegations):**
- **Departments and persons involved along with their work allocation / nature of duties - to be identified.**
- **Files / documents, rule position & delegation of powers (DOPs) related to each allegation - to be obtained and secured ASAP or downloaded from digital workplace.**
- **Availability of any other evidence like CCTV footage, CISF registers, etc.**
- **System logs or audit trails.**
- **Past practices related to each allegation – systemic issue or intentional.**

INVESTIGATION BY INVESTIGATING OFFICER

- **Investigating Officer may frame supplementary questions also - to arrive at justifiable conclusion.**

- **Investigation Report to be submitted within 3 months stipulated time.**

PART-II

CONDUCTING THE DETAILED INVESTIGATION

DETAILED INVESTIGATION

- Documents / records - from which allegations can be verified- To be secured.
- Detailed Scrutiny / Examination of Files / Records
- Records containing evidence to be retained by Vigilance Unit to eliminate tampering.
- If records required for official work, possibility of providing authenticated copies to be considered.

DETAILED INVESTIGATION

- If original records required for official work, Vigilance Unit to retain authenticated copies for investigation.

- Custodian of original documents to be responsible for safe custody.

- Short history / chronology of events to be prepared separately.

DETAILED INVESTIGATION

- **Examining the documents and allegations in a conjoined way to identify any probable act of commission / omission.**
  - **Required while obtaining version of the Suspected Public Servant (SPS).**
- **If facts are likely to be known to any employee - the Investigating Officer may ask for written version / clarifications.**

DETAILED INVESTIGATION

- **All important facts disclosed during investigation to be verified by documentary or collateral evidence.**

- **In case enquiries from the employees of any other Government organization required, the Chief Vigilance Officer concerned to be approached for providing the necessary information.**

DETAILED INVESTIGATION

- **After thorough scrutiny of documents, I.O. to identify if persons other than SPS are involved – if so to decide further course of action.**
- **During the course of detailed investigation, SPS to be given an opportunity to tender his / her version(statement).**
- **SPS's statement to be obtained, keeping in view his role / responsibility relating to alleged misconduct.**
- **If SPS chooses not to give his statement, the IO may pursue with the investigation.**

DETAILED INVESTIGATION

- **Statement to be obtained within reasonable time limit.**
- **For the matters involving procurement related irregularities, all relevant documents, samples pertaining to the said contract, to be collected and examined.**
- **Allegations of technical nature - site inspection to be conducted to verify facts and to ensure that evidence available on site is not tampered with.**

DETAILED INVESTIGATION

- **The I.O. to adopt an objective and analytical approach. If the suspected employee volunteers "admission", it should be recorded and his signatures obtained thereon.**

- **Before examining SPS, the I.O. to acquaint himself fully of the relevant rules and procedures about the case.**

- **Enquiry against officers under suspension / close to retirement – to be given top priority.**

DETAILED INVESTIGATION

- If required, expert opinion may also be obtained, along with scientific / forensic tools, to arrive at a justifiable conclusion.

- If it is feared that SPS may tamper with records then his/her transfer out of that place should be recommended.

- Investigation against an officer on deputation to be conducted by organization where misconduct took place.

DETAILED INVESTIGATION

- In case SPS on deputation has been repatriated to parent organisation, the borrowing authority to forward investigation report and all relevant records to parent organisation for further action.
- Resignation by officers pending investigation / inquiry – not to be accepted normally. (OM dated 31.05.1994)
- Investigation Report shall be submitted within 3 months in the prescribed format. (CVC OM dated 06.08.2009)

PART-III

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY OF OFFICIAL(S)

WHAT INVESTIGATION OFFICER HAS DONE SO FAR

- Carefully read the allegations and listed them - avoiding missing out
- Did mind mapping to seek answers of " 5 Ws &1H " –What, Who, Where to look for evidence? When ? Why and How was it committed?
- Collected all the documents/information/clarification and scrutinised them
- Examined files records methodically page by page and allegation wise
- Obtained the responses of the SPSs and examined them

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- The objective is to find out the truth in a reasonable manner.
- The report should contain an analysis of the various pieces of evidence recorded and the conclusions drawn there from.
- After collecting all documentary and oral evidence, the Investigating Officer should analyze and draw up conclusions including counter to the version of SPS based on sound logic.

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- Pay special attention to:

  - Alteration, changes made by any person without assigning reason
  - Contradiction to one's own justifications, requirements, plan without sufficient reason
  - Mismatch of dates, initial and final quantities, specification, etc.
  - Delegation of powers and whether the action has been taken in accordance – with DoP.

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- The Investigating Officer is required to make a meticulous evaluation of the actions of various officials with reference to the nature of their duties.

- Investigating Officer is also required to assess the gap between what the decision making authorities at different levels of hierarchy actually did and what they were required to do in accordance with the manuals / guidelines / orders.

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- To decide whether the SPS was engaged in misconduct and if any malafide intention is evident in the matter, Investigating Officer may follow the following criteria for the purpose and highlight in the report if the answer to any of the questions is in affirmative:

  - Did the official(s) act in excess of their delegated powers / jurisdiction and fail to report the same to the competent authority?

  - Did they or any of them show any gross neglect of their official functions?

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- Is there any material to indicate that any of them acted recklessly?
- Has the impugned decision caused any undue loss to the organization?
- Has any person/party or set of persons/parties either within the organization or outside, have been extended any undue benefit?
- Have the norms or systems and procedures of the Ministry / Department / organization been flagrantly violated?

ANALYSIS, CONCLUSION AND FIXING RESPONSIBILITY

- Depending on the analysis, responsibility of officials and lacunae in system may be pointed out which may lead to:-
  - i) Disciplinary Proceedings ;
  - ii) Personnel & Administration (P&A) Actions ; and
  - iii) Systemic Improvements.

- If criminality or need for specialized investigation emerges, the same should be brought out by Investigating Officer .

REPORT SUBMISSION AFTER DETAILED INVESTIGATION

- IO to submit report to CVO.
- The report should contain facts gathered during the process of investigation and an analysis of the same.
- IO to conclude whether prima-facie the allegations stand substantiated or not.
- IO should neither recommend nor propose about initiation of any disciplinary or administrative action against SPS.

REPORT SUBMISSION AFTER DETAILED INVESTIGATION

- The report should specifically mention about the version stated by the SPS and comments of the IO on the same, based on records and other evidence available.

- In case the SPS did not avail of the opportunity to state his version, the same should be indicated in the report.

- After perusing the report, CVO will recommend whether vigilance angle is observed and if so, the type of action (if any) to be initiated against the SPS.

REPORT SUBMISSION AFTER DETAILED INVESTIGATION

- The CVO, along with his recommendations would forward the report to Disciplinary Authority.
- The Disciplinary Authority is required to examine the same and recommend further action, after due application of mind.
- In case the CVO and Disciplinary Authority, both are of the view that there is no vigilance angle, the matter is to be left to the DA to take further action, including any disciplinary action as may be decided by DA.
- CVO's advice is not required.

REPORT SUBMISSION AFTER DETAILED INVESTIGATION

- In case CVO and DA both are of the view that the case has a vigilance angle, DA would consider the CVO's recommendations about the type of action to be initiated against the SPS.
- DA's recommendations would be sent to CVO. If the DA and CVO both agree about the action to be initiated against the SPS, further action (including any disciplinary action) would be initiated as per the CDA / Service Rules / Conduct Rules of the organization concerned.
- In case the official(s) involved are covered under Commission's jurisdiction(E8 and above), CVO would approach Commission for advice, before taking further action in the matter.

REPORT SUBMISSION AFTER DETAILED INVESTIGATION

- If the Disciplinary Authority and CVO have difference of opinion about existence of vigilance angle or the type of action to be initiated against the SPS, the matter would be referred to the Chief Executive for resolving difference of opinion.

- If difference of opinion persists, the matter would be referred to the Commission for First Stage Advice.

PART-IV

OBTAINING CENTRAL VIGILANCE COMMISSION'S FIRST STAGE ADVICE AND REPORT WRITING

PREPARATION OF VIGILANCE REPORT - CONTENTS

- **Investigation Report to contain following segments :-**
- **SOURCE:-**
  - **Investigation based on complaint (direct or from CVC etc.)**
  - **CTE type inspection, routine or surprise check, audit report, etc.**
- **GIST OF ALLEGATIONS:-**
  - **Verifiable, specific allegations, having vigilance angle, taken up for investigation.**

PREPARATION OF VIGILANCE REPORT - CONTENTS

FACTS:-

- **To be stated allegation wise.**
- **Sequence of events from initiation stage activity-wise-in chronological order.**
- **up to the stage whether any anomaly seen or not**
- **Documentary / Oral evidence to be enlisted and relevant portion highlighted.**

PREPARATION OF VIGILANCE REPORT - CONTENTS

OBSERVATIONS:-

- **Analysis of facts leading to irregularity being observed.**
- **There may be multiple observations based on criteria for performing that work. E.g. observations based on rules, procedures, SOP, etc.**

PREPARATION OF VIGILANCE REPORT - CONTENTS

RESPONSE OF SPS(S) / OTHER OFFICIALS:-

- Necessary to obtain response of SPS either through questionnaire or orally (to be reproduced in writing and signature obtained)
- Clarification from authorities to be obtained- if necessary- to know ground reality.
- Statement / Clarification from other officials (aware of the event) to be obtained.
- Helpful in deciding whether vigilance angle exists or only procedural lapses.

PREPARATION OF VIGILANCE REPORT - CONTENTS

COUNTER TO RESPONSE:-

- **To specify why defence of SPS & response of other authorities may not be acceptable / satisfactory.**
- **To be based on facts / evidence.**

CONCLUSION:-

- **A logical summary of observations and response.**
- **To specify if irregularity took place**
- **If so whether, it's an act of omission or commission.**
- **Whether there is corruption, undue favour, undue loss to organization.**
- **Vigilance angle exists or not.**

PREPARATION OF VIGILANCE REPORT - CONTENTS

RESPONSIBILITY OF OFFICIALS:-

- **Officials responsible for lapses to be identified.**
- **Their involvement to be determined in accordance with their**
- **duties.**
- **Comments of Disciplinary Authority.**

RECOMMENDATIONS FOR ACTION:-

- **Closure or type of action to be initiated-clear recommendation.**
- **Bio-data- (date of retirement to be highlighted).**

PREPARATION OF VIGILANCE REPORT - CONTENTS

SYSTEMIC IMPROVEMENT:-

- **Punitive action alone is not sufficient.**
- **Case to be scrutinized to find out procedural loopholes which allowed misconduct to happen.**
- **Improvement measures for control mechanism to be identified.**
- **To prevent risk of recurrence of such lapses.**
- **Keeping in view organization's objective- systemic improvement to be suggested.**

FIRST STAGE ADVICE (FSA)

- **For investigation report called by the CVC – Report to be mandatorily submitted to CVC**

- **In other cases, FSA required for officers under CVC's jurisdiction(all officials if atleast one is of grade E8 and above)- if vigilance angle exists**

- **If CVO and DA do not find Vigilance Angle - matter to be decided by them**

FIRST STAGE ADVICE (FSA)

- **In composite cases, advice required for all officials**
- **Difference of opinion between CVO and DA –if not reconciled - to be referred to CVC**
- **Version of SPS, DA's & CVO's views required for seeking FSA**
- **FSA required before issue of charge sheet**

FIRST STAGE ADVICE (FSA)

- **CVC approached for advice at two stages - FSA and SSA**

- **Investigation reports called by the CVC – Report to be mandatorily submitted to CVC**

- **In other cases, advice required for officers under CVC's jurisdiction- if vigilance angle exists.**

FIRST STAGE ADVICE (FSA)

- **In composite cases, advice required for all officials**
- **If CVO and DA do not find Vigilance Angle - matter to be decided by them**
- **In matter with Vigilance Angle, if difference of opinion between CVO and DA –if not reconciled - to be referred to CVC**
- **Version of SPS, DA's & CVO's views required for seeking FSA**
- **FSA required before issue of charge sheet**

DOCUMENTS FOR FSA FROM CVC

i. **Self Contained Note**

ii. **Vigilance Report - source, allegations, investigation process, version of SPS, recommendation of DA and CVO** (including investigation done by the CBI and their recommendation, if any)

iii. **Bio-data**

iv. **Assurance memo**

v. **Tabular statement**

vi. **All relevant records / documents**

vii. **Draft chargesheet (wherever required)**

SECOND STAGE ADVICE (SSA)

- **On conclusion of departmental inquiry- CVC's SSA required**

- **For Presidential appointee - if DA proposes penalty and UPSC to be consulted – CVC's advice not required**

- **For Presidential appointee - if DA proposes exoneration, CVC's advice required**

SECOND STAGE ADVICE (SSA)

- **In other cases - if DA proposes penalty in line with CVC's FSA – further advice not required**
- **Case to be referred to CVO**
- **If DA proposes action at variance with CVC's FSA - SSA required**
- **Applicable to all officials involved in composite cases**

DOCUMENTS FOR SSA FROM CVC

- **A copy of Charge-Sheet**
- **A copy of Inquiry Report**
- **Comments / Recommendations of DA and CVO**
- **Complete Case records i.e. Copies of depositions, Daily Order Sheets, Prosecution & Defense documents, PO's & CO's briefs.**

RECONSIDERATION OF CVC'S ADVICE

- **CVC's FSA - for initiation of departmental action / AA / Closure**
- **Different view by Competent Authority– reconsideration of FSA required**
- **In rare cases - with additional facts - reasons for non-consideration of additional facts earlier**
- **<u>Proposal to be sent within 2 months of FSA only once</u>**
- **Proposal to be sent with approval of DA/HOD/CEO**
- **<u>Reconsideration of SSA is not permissible</u>**

धन्यवाद

THANK YOU

जय हिन्द