

## **Preface**

The Govt. of Haryana has steadfastly focussed its attention on curbing corruption in the Government set up and on providing to its citizens a clean and transparent administration. Keeping in view it's goal of eliminating corruption, the Govt. has set up Vigilance Units in all the departments and has also setup a separate Vigilance Department which is the nodal department of the Govt. as far as anti-corruption measures are concerned.

The importance of the Vigilance Department can be gauged from the fact that this department function directly under the Chief Minister as Minister-in-Charge. The Chief Secretary to the Govt. of Haryana functions as the Administrative Secretary of the Department. The Govt. has conferred primacy on the Vigilance Department in anti-corruption matters. The Secretary to the Govt. in the Vigilance Department has the competence to record in his assessment his comments on the work being done by any Departmental Vigilance Officer.

The State Vigilance Bureau is the main investigative wing of Vigilance Department. This manual covers the entire gamut of activities of the State Vigilance Bureau. It outlines the duties and functions of the State Vigilance Bureau, it's organisational structure, as also the procedure to be adopted in vigilance cases and enquires. This manual also incorporates the instructions issued by the Govt. from time to time which have guided the State Vigilance Bureau.

Vigilance Manual approved by the State Government vide their letter No. 9/5/2003-1 Vig. (1) dated 28th July, 2004.

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## CHAPTER-1

### **Introduction of the State Vigilance Bureau.**

#### **1.1 Introduction & History**

The State Vigilance Bureau is the main investigative unit of the Vigilance Department. The main investigating wing was set up in June, 1967 when the Govt. of Haryana issued detailed instructions for effecting for reorganization of the Anti-Corruption machinery Vide U.O. No. 2682-V (1) -67 dated 17<sup>th</sup> June, 1967 Appendix A. This order set up a Special Inquiry Agency (SIA) for enquiring into corruption related complaints referred to it by the Vigilance Department. This agency had a very modest beginning and was set up under an Officer in the rank of Superintendent of Police in the incipient stage. Progressive expansions took place from time to time and at present there is fairly widespread and effective network throughout the State.

The Special Inquiry Agency was rechristened as the State Vigilance Bureau in the year 1978 and presently functions as such under the charge of its Director who is an IPS Officer in the rank of DGP/ADGP. The Director who is the head of Department is assisted by an Inspector General of Police, Deputy Inspector(s) General of Police, Superintendent(s) of Police, Deputy Superintendent(s) of Police and officers /official of other ranks.

#### **1.2 Aims.**

The principal objective of the State Vigilance Bureau Haryana is to curb the evil of corruption amongst Public Servants and to prevent leakage of Government revenue by taking action against unscrupulous Government Servants who indulge in mal-practices and corruption. The State Vigilance Bureau also helps various other Government Departments by suggesting ways and means to combat corruption and to prevent leakage of Government Revenue.

#### **1.3 Functions.**

The various functions of the State Vigilance Bureau are:-

1. Investigation of Criminal Cases of corruption/cheating/ fraud referred to it by the Govt. of Haryana for investigation.
2. Apprehending corrupt Govt. Servants red-handed by means of raids.
3. Carrying out vigilance enquiries referred to it by the Vigilance Department, Govt. of Haryana.
4. Generating inspection/source reports regarding corruption/ leakage of Govt. revenue for the usage of the Govt. or for suo-moto action.
5. Giving No Objection Certificates from vigilance angle to various persons/Govt. officials. NOC is required for the following purpose :-
  - A) Promotion Cases,
  - B) Cases of Superannuation
  - C) Passport for Govt. Employees,
  - D) Cases of Deputation.
  - E) Any other cases in which, such clearance is made mandatory by the State Government.
6. To carry out special checking of various works/projects undertaken on behalf of the Govt. of Haryana to ensure uniform quality and standard of the works being so undertaken.
7. Any other function assigned to it from the Govt. of Haryana from time to time.

#### **1.4 Duties of a Vigilance Officer**

Every vigilance officer posted in the Vigilance Bureau has responsibilities in the following spheres:-

- i) As an Enquiry Officer in respect of registered enquiries entrusted to him/ her.
- ii) As an Investigating Officer in respect of criminal cases registered in various Police Station of the SVB and entrusted to him for investigation.

- iii) In addition to these responsibilities the SP/DIG posted at the Police Station of the SVB shall also function as the officer in-charge of the Police Station and shall perform such duties as officer in-charge of Police Station as outlined in the Punjab police Rules.

## CHAPTER-2

### Organisation

The officers/officials posted in the State Vigilance Bureau, can be categorized as in the following paragraphs depending upon the nature of their duties.

#### **2.1 Vigilance Officers**

The Officers/Officials who are categorized as Vigilance Officers will be Enquiry Officers & Investigating Officers. The Enquiry Officers can be taken on deputation from any Department including the Police Department, whereas the Investigating Officers will be exclusively from the Police Department.

The State Vigilance Bureau with its headquarters at Panchkula is headed by an officer in the rank of DGP/ADGP who has under its administrative control the Officers/Officials posted at the Vigilance Police Stations situated at various Range Headquarters and field units at the District Headquarters.

#### **2.2 Ministerial Staff and Supporting Staff**

Ministerial/Secretariat staff has also been made available to the State Vigilance Bureau to assist in its functioning. This staff has primarily been taken on deputation from the Police Department. The following table shows the sanctioned strength of ministerial staff in the State Vigilance Bureau as on 1.1.2004

<b><u>Rank</u></b>	<b><u>Sanction</u></b>
Superintendent (O)	1
Personal Assistants	2
Assistants	10
Sr. Scale Stenos	06
Jr. Scale Stenos	01
Steno-Typists	02
Clerks	27
Civilian Drivers	05

Book Binder	01
Peons	12
Chowkidar	01
Sweeper	01
Class IV	14

### 2.3 **Technical Staff.**

The Vigilance Bureau during the course of its enquiries also requires the technical assistance of experts from various fields. For this purpose the officers from different departments are taken on deputation to the State Vigilance Bureau.

## **Chapter-3**

### **Vigilance Enquiries**

#### **3.1 Sources of information.**

The State Vigilance Bureau carries out enquiries on behalf of the Vigilance Department, Govt. of Haryana.

These enquiries are marked down to the enquiry officers after due registration. Enquiries are ordered on the basis of information obtained from any of the following sources :-

- a) Complaint received by an administrative authority.
- b) Complaint received in the Vigilance Department/State Vigilance Bureau.
- c) Departmental inspection report, stock verification survey or specific checks conducted by the State Vigilance Bureau.
- d) Report of any irregularities in account revealed in the routine audit of accounts e.g. tampering of records, over payments, misappropriation of money or material etc.
- e) Audit report on Govt. accounts and on the accounts of public undertakings and others co-operative bodies etc.
- f) Proceedings of the Vidhan Sabha or of its various committees like Estimates Committee, Public Accounts Committee and Committee on Public Undertaking etc.
- g) Complaints, allegations featuring in the press/electronic media.
- h) Intelligence/Source Report.
- i) Other Sources

#### **3.2 Registration of enquiries**

All the enquiries conducted by the State Vigilance Bureau should be duly registered in the State Vigilance Bureau and given

specific number. These enquiries can be registered only on the explicit order of :

1. Director, SVB in case of Class -III or Class-IV employees.
2. The state Govt. in case of Class-I & II officers, MLAs, Sarpanches, Members/Chairmen of Zila Parishads, Councillors/Members of the Local Bodies and Pvt. persons etc.

**Note :-** *The Ministers, Ministers of State, Deputy Ministers, the Speaker & the Deputy Speaker of the Haryana Vidhan Sabha shall not be within the purview of the Vigilance Department.*

### **3.3 Procedure for carrying out Registered Enquiries.**

After registration of Vigilance Enquiry the Director State Vigilance Bureau or an officer on his behalf marks these enquiries to an Enquiry Officer for carrying out his enquiry and submit a detailed report.

#### **3.3(1) Inquiry in Anonymous & Pseudonymous Complaints.**

As per the guidelines of the government (Appendix 'B') anonymous or pseudonymous complaints should normally be rejected. But the entry of all such complaints shall be made in the register and the record of such complaints shall also be maintained. The complainant shall normally be required to furnish an affidavit in the support of the allegations levelled in the complaint. However it is also highlighted that in view of the fact that the complaints are quite often not forthcoming in lodging complaints, if the complaint contains specific allegations and matter can be enquired into by studying records, then this should normally be done. This decision shall be taken by Government and or by Director/State Vigilance Bureau.

#### **3.3(2) Receipt and study of enquiry (complaint)**

On receipt of a registered enquiry/complaint, the Enquiry Officer shall take up the practice of recording day-to-day proceedings in the form of a diary in respect of each registered enquiry entrusted to him. The format for this diary shall be the same as that of a

case diary as mentioned in PPR. The Enquiry Officer shall submit to the SP or DIG Incharge of the SVB Range one copy of the case diary containing the summary of allegations serially numbered, the line of action proposed to be adopted by him to enquire into each of the allegations and the necessary documents and a brief list of witnesses he proposes to examine in the course of enquiry. On receipt of the case diary the Supervisory Officer of the concerned Range shall carefully go through the same and record his observations and guidelines and convey the same to the Enquiry Officer. A gist of the contents of each case diary shall be entered in a running notebook by the Supervisory Officer and the progress shall be communicated to the State Vigilance Bureau (Headquarters) fortnightly.

After the completion of the enquiry the Enquiry Officer shall put up his final report with recommendations to the SP or DIG Incharge of the Range, who will minutely examine the enquiry report and the relevant record and would record his detailed comments/observations and forward the same to the Headquarters.

**3.3(3)** There shall be two categories of an enquiry and cases. The first category shall be treated as most secret which contains the enquiries and criminal cases against all VIPs, Ex-Ministers, MLAs, IAS, IPS and all other Class – I Officers whereas the second category will be marked as confidential, which shall contain the enquiries and cases against all others remaining Officers/Officials and Public men. The secret files and confidential files shall be maintained separately.

**3.3(4) Records**

The Vigilance officer while conducting an enquiry has to ensure that he is able to prove/disprove allegations levelled in the complaint, a thorough scrutiny of documents and records is indeed of vital importance.

As per Govt. guidelines No. 9/17/96-1Vig(I) dated 16<sup>th</sup> October, 1996 (Appendix 'C') any document sought by the Enquiry Officer has to be made available by the concerned department within 48 hours of the receipt of any request from the State Vigilance Bureau.

The Enquiry Officer should make an effort to obtain only the relevant record. It would be advisable that the Enquiry Officer should prepare blank proformas to be supplied to the department from which information is sought. The concerned department is required to supply the information solicited in the format indicated in these proformas.

The Enquiry Officer shall maintain the safe custody of the record to ensure the secrecy. The Enquiry Officer has to maintain the sanctity of the document procured and ensure that secrecy is not lost. Such documents which once procured and not further required should be safely returned to the department as soon as possible.

### **3.3(5) Interviews**

The Enquiry Officer should record the statements of the person who can shed some light on matters connected with vigilance enquiry. This should routinely be done in the form of interviews, wherever possible a questionnaire should be prepared and provided to the person being interviewed, who should be asked to respond to it. The Enquiry Officer is always advised to interview the officers/persons against whom the enquiry is being conducted as this is in the interests of natural justice. This can, however, be dispensed with, in case, a 'discreet' enquiry has been ordered or it is felt that the enquiry can be completed only by a scrutiny of records/ or the concerned person/official/officer does not cooperate with Enquiry Officer.

### **3.3(6) Expert Opinion**

The appointment of Chartered Accountant, Financial & other experts shall be made as per provisions of Govt. instructions/Rules applicable at the relevant time.

### **3.3(7) Report**

After going through the procedure outlined above the Enquiry Officer has to reach definite conclusions in the enquiry. For this he has to study/scrutinise and collate all the information that has been made available to him. The Enquiry Officer has to prepare a point-wise

finding on the various allegations mentioned in the enquiry. On each allegation the Enquiry Officer has to give a specific finding whether the allegation is proved or not. In case an allegation is proved he has to outline the extent to which the allegation has been proved. Responsibility for the lapses has to be fixed, the Enquiry Officer has to provide an estimate to gauge/estimate loss to the Govt. exchequer, if any. The Enquiry Officer has also to clarify as to whether the lapses/irregularities that have been detected are intentional or unintentional. He has to clarify whether the said lapses invite criminal liabilities or liabilities for departmental action.

The Enquiry Officer then has to make recommendations to the Director, SVB regarding the findings of the enquiry. The recommendations in case of allegations which are not proved would be to file the allegations. On the allegations that have been proved the Enquiry Officer can make the following recommendations depending upon his finding:-

- (i) Recommendation for registration of criminal cases in the concerned police station of SVB or any other concerned Police Station against the delinquents,
- (ii) Recommendation for initiating departmental proceedings for major/minor punishments to be awarded to delinquent officers /officials.
- (iii) Recommendation for effecting recoveries for the losses to the Govt. exchequer from the beneficiaries,
- (iv) Recommendations for black- listing of firms.
- (v) Recommendations for transfer/suspension of delinquent officers/officials.

### 3.3(8) **Supervision**

Range DIG/SP of State Vigilance Bureau shall be responsible for the supervision and monitoring the progress of the enquiries and cases entrusted to Enquiry Officer/Investigating Officer. Supervision shall be effected in the format laid down by the Director,

State Vigilance Bureau from time to time. A similar practice would be followed in the investigation of the cases by the Investigating Officers and the supervision of the investigation by the Supervisory Officers in recording of the case diaries in Form 25.54 (1) Punjab Police Rules after following the general guidelines under Punjab Police Rules 25.53 & 25.54 and the Supervisory Officers shall enter the contents of the case diary in the running notebook as mentioned in Punjab Police Rules 25.17 (3) and send the fortnightly report to the Headquarters. Copies of relevant Police Rules are enclosed at (Appendix 'D-I to III).

### **3.4 Recommendations to Vigilance Department**

The Director/SVB on receipt of the findings and enquiry report from the Enquiry Officer carries out an objective assessment of the enquiry conducted by the Enquiry Officer. If there are any lapses then the enquiry can be returned to remove the shortcomings. After receipt of the final report and acceptance by the Director/Bureau forwards its finding and recommendations could be :-

- i) Recommendation for registration criminal case/ cases in the concerned police station of SVB or any other concerned Police Station against the delinquents,
- ii) Recommendation for initiating departmental proceedings for major/minor punishments to be awarded to delinquent officers/officials,
- iii) Recommendation for effecting recoveries for the losses to the Govt. exchequer, from the beneficiaries,
- iv) Recommendation for black- listing of firms,
- v) Recommendation for transfer/suspension of delinquent officers/officials.

## CHAPTER-4

### **Vigilance Cases**

#### **4.1 Vigilance Police Stations**

The Government of Haryana has notified Vigilance Police Stations at Panchkula, Ambala, Hisar, Rohtak and Gurgaon for the purpose of registration and investigation of vigilance cases. The SP/DIG posted at these stations is the Officer In-charge of the police station. The area jurisdiction and criminal jurisdiction of these Police Stations is given in **Appendix-E**.

The Vigilance Police Station function in a manner similar to any other Police Station of a District, albeit with the difference that it is empowered to register only cases under those sections of law, which are given in **Annexure – E**.

Records are maintained in the Vigilance Police Station as in the case of Police Station of the District. These records are to be maintained as per the Punjab Police Rules. There are subject to annual inspection as per the Punjab Police Rules.

#### **4.2 Registration of Vigilance Cases**

Criminal cases can be registered in the Vigilance Police Station by the following methods :-

- (a) As per the orders of the Govt. on the findings of Registered Vigilance Enquiries.
- (b) Red Handed capture/ Trap raid on a Government Servant.

#### **4.3 Investigation of Cases by SVB**

The State Vigilance Bureau is empowered to Investigate Cases registered in its various Police Stations, the State Government may by notification also transfer cases registered in Police Stations of various Districts to the State Vigilance Bureau for investigation. Cases are referred for investigation to various units/individual investigation officer or teams by the Director, SVB or an officer on his behalf.

The Investigating Officer on receipt of the case is required to carry out investigation as per the code of Criminal Procedure. He is also required to follow the detailed procedures laid down in the Punjab Police Rules, various judgements of the Hon'ble Courts. Govt. Instructions or Standing Orders are also to be adhered to.

The investigation of various kinds of cases is classified in the following paragraphs, methods of investigation are also described.

#### **4.3(1) Investigation of Cases Registered on the Receipt of Govt. Orders.**

These cases are invariably registered after a Vigilance enquiry has been duly carried out. However, if the Government so orders, in exceptional cases, these might be registered without preceding Vigilance enquiry.

Investigation generally follows the lines of the vigilance enquiries, detailed procedures for which have been outlined in the preceding chapter. During investigation however, the Investigating Officer has to ensure that he is able to prepare a case that will stand up to judicial scrutiny, the missing links that have not been accounted for during the enquiry, have to be taken care of. The Investigation has to be in line with the procedure prescribed in the Code of Criminal Procedure. All evidence collected should be as per the Indian Evidence Act, guidelines given on other Special Acts and Govt. instructions also have to be adhered to. Another difference between enquiry and investigations is that the Investigating Officer acquires powers to arrest, search & seize documents/material while conducting an investigation.

#### **4.3.2 Investigation Cases of Red Handed Capture/Trap Cases.**

These are the cases in which the corrupt official/officer is apprehended by the Vigilance Officer, while accepting illegal gratification or immediately after receipt of such illegal gratification.

When a complainant approaches a vigilance officer, complaining about an officer/official who is demanding illegal gratification, the Investigating Officer should at the earliest occasion inform his superiors in the Vigilance Bureau about the raid which is

proposed to be carried out. The Vigilance Officer has to move towards the rendezvous at the earliest alongwith his team members. He should also carry the Investigating Officers Kit (**Appendix-F**) with him.

On successful completion of a raid the Vigilance Officer is required to register a criminal case under the Prevention of Corruption Act and any other relevant provision of law, in the concerned Police Station of State Vigilance Bureau. In case of such red handed raids leading to registration of cases under Prevention of Corruption Act 1988, the Investigating Officer should not be below the rank of an Inspector of Police. (Officer of the rank of Inspector posted in the State Vigilance Bureau have been specially notified to have competence to register & investigate cases under PC Act by the State Govt. (**Appendix-'G'**). A detailed check list of procedural formalities to be observed while conducting a raid is given in **Annexure-'H'**).

A number of time red handed capture cases can be followed up with a case of Disproportionate Assets, which is an offence under Section 13 (1) (e) of Prevention of Corruption Act. Such a study of assets disproportionate to the known sources of income can be carried out during registered enquiries also. During investigation of Criminal Case the Investigating Officer has an additional facility in terms of power to search and seize incriminating documents/material. A detail procedure prescribed for investigation of cases of assets disproportionate to known sources of income is given in (**Annexure – I**).

#### **4.3(3) Investigation of cases other than those registered in the various Police Station of the State Vigilance Bureau.**

Such cases which are specially entrusted to the SVB of investigation are investigated in a manner similar to the investigation carried out by the District Police.

#### **4.4 Prosecutions of cases**

After the Investigating Officer has carried out formal investigation of the case entrusted to him for investigation the Investigating Officer submits the case file for the perusal of the Officer-in-Charge of the Police Stations. In cases where the charges are proved

the Officer-in-Charge prepares charge sheets against the accused persons alongwith relevant documents. These charge sheets are submitted in the court having jurisdiction as per the procedure prescribed in the Police Rules and the Code of Criminal Procedure. In cases of charges, which are not proved the Officer-in-Charge prepares a Final Report, which is submitted before the Director, State Vigilance Bureau. In case the Director, accords his approval the final report is returned to the Officer-in-Charge who submits the same to the court having jurisdiction in the prescribed manner.

#### **4.5            Sanction for Prosecution**

In the cases where sanction for prosecution is required u/s 19 of Prevention of Corruption Act and Section 197 Cr.P.C. against the accused person. The competent Authority must decide the sanction for prosecution within 60 days or 90 days of the arrest of the accused as the case may be in the light of the judgement passed by Hon'ble Supreme Court dated 8.12.1997 in Writ Petition (Crl.) No. 340-343 of 1993 Vineet Narain & Others Vs. Union of India, so that the accused do not become entitle to be released on bail u/s 167 (2) Cr.P.C.

## CHAPTER-5

**Instructions**

The instructions of Government issued from time-to-time are given at pages from (I to CL) as per Index given below :-

**INDEX**

<b><u>Sr. No.</u></b>	<b><u>Sub Head</u></b>	<b><u>No. &amp; date of the letter</u></b>	
1.	2.	3.	
1.	Jurisdiction/Reorganization of the Vigilance Machinery.	No. 927-Vig.(I)-70-18675	17.7.1970
		No. 4/22/78-Vig.(i)	14.2.1980
		No. 4/2/87-1Vig.(I)	28.7.1988
		No. 4/22/78-1Vig.(I)	19.4.1990
		No. 4/1/92-5V(1)	3.5.2001
		No. 4/4/03-Vig.(I)	19.6.2003
2.	Procedure of Enquiry & Departmental/Criminal Action against Govt. Servants.	No. 6747-V(I)-61/2056	9.2.1962
		No. 419-1Vig. (I)-71/3928	16.2.1971
		No. 3298-1 Vig(1)-18/72/29575	24.10.72
		U.O. No. 8/2/84-I Vig. (I)	26.3.1984
		No. 8/2/86-1Vig(1)	17.9.1986
		U.O. No. 8/2/84-1 Vig. (I)	26.3.1989
		No. 8/2/86-1Vig(1)	1.4.1989
		No. 9/17/96-1Vig.(1)	16.10.1996
		No. 4/1/2000-1/Vig.(1)	24.4.2000
		No. 4/2/2002-1Vig.(1)	14.3.2002
		No. 4/1/03-1Vig.(1)	11.7.2003
		No. 9/17/96-1Vig.(1)	11.7.2003
3.	Indiscriminate use of Govt. Vehicles.	No. 3060-1Vig.(1)-74/24700	18.4.1974
		No. 1/4/83-1Vig(1)	8.3.1983
		No. 1732-V(1)-61/3865	3.4.1991
4.	Appointment/Functions of the Departmental Chief Vigilance Officers/Vigilance Officers.	U.O. No. 4/3/81-1 Vig(1)	5.11.1981
		No. 4/22/78-1 Vig(1)	22.8.1986
		No. 4/2/87-1 Vig(1)	1.2.1990
		No. 4/2/78-1 Vig(1)	15.3.1990
		No. 4/22/78-1 Vig(1)	8.5.1990
		No. 4/1/91-1 Vig(1)	20.3.1991
		4/1/92-1 Vig(1)	13.1.1992
		4/1/92-1Vig. (1)	11.8.2003
5.	Entrusting of Cases to C.B.I. for Enquiry	U.O. No. 1/5/80-1 Vig(1)	14.7.1980
6.	Issuing of sanctions for prosecution of accused Officials/Officers of various Govt. Department.	No. 4/1/84-1 Vig(1)	18.6.1984
		No. 4/1/84-1 Vig(1)	11.4.1985

		No. 4/1/84-1 Vig(1)	11.3.1989
		No. 1/15/78-1 Vig(1)	19.5.1989
		4/1/84-1Vig.(1)	11.7.2003
7.	Eradication of Corruption measures regarding.	No. 1244-1 Vig(11)-72/9512	13.4.1972
		5476-1/Vig.(1)-74/26457	17.11.1974
		1728-1Vig.(1)-77/12180	4.5.1977
		1/32/79-1Vig.(1)	27.11.1979
		No. 1/15/78-1 Vig(1)	25.1.1983
		No. 4/2/1987-1 Vig(1)	14.9.1987
		No. 4/17/89-1 Vig(1)	24.1.1990
		No. 4/8/91-1 Vig(1)	24.10.1991
8.	Constitution of District Vigilance Teams	No. 4/4/90-1 Vig(1)	30.7.1990
		No. 4/4/90-1 Vig(1)	28.11.1991
9.	Special Checking of the Engineering Works.	No. 1774-1 Vig(1)-77/24268	2.9.1977
10.	Constitution of the Anti Corruption Board, Haryana.	4/2/87-1Vig.(1)	22.9.1987
		4/2/87-1Vig.(1)	3.11.1987
		4/2/87-1Vig.(1)	3.3.1988
		No. 4/2/87-1 Vig(1)	8.2.1990
		No. 46/41/91-3 Vig(ii)	22.7.1991
11.	Constitution of Advisory Board in State Vigilance Bureau, Haryana.	4/6/02-1Vig.(1)	11.12.2002
		4/6/02-1Vig.(1)	18.4.2003
		4/6/02-1Vig.(1)	30.7.2003

**APPENDIX 'A'****No. 2682-V (I)-67/10809**

From

Shri S.K. Chhibber, I.A.S.,  
Secretary to Government, Haryana,  
Vigilance Department.

To

All Heads of Departments, Commissioner, Ambala Division,  
Deputy Commissioner, District and Sessions Judges in  
Haryana and Registrar, Punjab and Haryana High Court,  
Chandigarh.

Dated Chandigarh, the 17th June, 1967.

Subject:- **Abolition of Haryana State Vigilance Commission and  
the reorganization of the Vigilance Machinery.**

Sir,

I am directed to say that Government have given fresh consideration to the matter of setting up of some effective, speedy and less expensive machinery for dealing with corruption in the public as well as among the officials and have decided to abolish the existing Vigilance Commissioner. In pursuance of this, notification No. 2661-V(1)-67/10270, dated the 9th June, 1967, has been issued a copy of which has already been endorsed to you. Henceforth, the vigilance and anti-corruption work shall be disposed of in the Vigilance Department in accordance with the instructions detailed in the Annexure.

2 (i) Government have adopted an integral approach to the problem of eradication of corruption. All matters relating to this subject shall be dealt with in the Vigilance Department which would be responsible to co-ordinate and to liaison this work. The Department will take both the types of actions, punitive as well as preventive. On the punitive side the old practice of sending the reports of investigation/inquiry to the Departments concerned for further action has been done away with. Henceforth the Special Inquiry Agency and Inquiry Officer will send their reports to this Department which would process the same up to their logical conclusion. On the preventive side this Department will suggest measures to plug the sources of corruption. The new scheme renews emphasis on the responsibility of the Heads of

Departments, etc., to deal with complaints of corruption against the non-gazetted staff. The scheme further envisages the continuance of the appointment of Chief Vigilance Officers and Vigilance Officers in each Department. They will have an important role to play and their duties have been detailed in para V of the Annexure.

(ii) The Special Inquiry Agency will continue to be an agency of the Vigilance Department and as such will investigate only those complaints which are referred to it by this Department. Any particular complaint required to be investigated through this agency may be referred to this Department.

(iii) I am also to point out that the cases in which Vigilance Commission had already sent its recommendations direct to the Departments or where further information had been asked for by it, would now be pursued by Government in the Vigilance Department. Accordingly, those cases in which the Commission had asked for any information, the same should be supplied to this Department. Likewise, if in any case it is considered appropriate to deviate from the recommendations of the erstwhile Vigilance Commission, prior approval of the Government in the Vigilance Department would be necessary.

3. Government is fully committed to curb the evil of corruption and expect you to fully share their anxiety and responsibility in this behalf. As a matter of policy, Government have decided to deal with complaints of corruption or loss to public revenue, etc., on priority basis and therefore, wish to make it clear that any passive treatment to such complaints shall be viewed seriously. Government desires that the aim and importance of these instructions should be fully kept in view for meticulous compliance.

Yours faithfully,  
S.K. CHIBBER,  
Secretary to Government, Haryana,  
Vigilance Department.

No. 2682-V(I)-67/10801, dated Chandigarh, the 17th June, 1967

A copy, with a copy of the enclosure, is forwarded, for information and necessary action to :-

- (1) the Inquiry Officer, Vigilance Department, Haryana.
- (2) the Director, Special Inquiry Agency, Haryana.

A.C. AGGARWAL,  
Under Secretary, Vigilance,  
for Secretary to Government, Haryana,  
Vigilance Department.

No. 2682-V(I)-67/10802, dated Chandigarh, the 17th June, 1967

A copy, with enclosure, is forwarded to the Accountant General, Punjab and Haryana, for information

A.C. AGGARWAL,  
Under Secretary, Vigilance,  
for Secretary to Government, Haryana,  
Vigilance Department.

- A copy, with a copy of the enclosure, is forwarded to :-
- (i) Financial Commissioner, Revenue and Taxation and Secretary to Government Haryana, Revenue Consolidation, Excise & Taxation, Rehabilitation, Relief and Settlement Departments; and
  - (ii) All Administrative Secretaries to Government, Haryana; for information and necessary action.

A.C. AGGARWAL,  
Under Secretary, Vigilance,  
for Secretary to Government, Haryana,  
Vigilance Department.

To

- (i) The Financial Commissioner, Revenue, Haryana.
- (ii) All Administrative Secretaries to Government, Haryana.

U.O.No. 2682-V(I)-67, dated Chandigarh, the 17th June, 1967.

A copy, with a copy of the enclosure, is forwarded to the Secretaries/Private Secretaries/Personal Assistants to the Chief Minister/Ministers/Ministers of State/Deputy Ministers/Chief Parliamentary Secretary, for the information of the Chief

Minister/Minister of State/Deputy Ministers and Chief Parliamentary Secretary.

A.C. AGGARWAL,  
Under Secretary, Vigilance,  
for Secretary to Government, Haryana,  
Vigilance Department.

To

The Secretaries/Private Secretaries/Personal Assistants to the  
Chief Minister/Ministers/Ministers of State/Deputy Ministers.

**APPENDIX 'B'**

**विषय :-** एनोनिमस/सूडोनिमस शिकायतों का निपटान ।

क्या वितायुक्त राजस्व, हरियाणा सरकार तथा हरियाणा के सभी प्रशासकीय सचिव कृपया उपरोक्त विषय पर चौकसी विभाग के अशा० क्रमांक 5476-1 चौ: 1-74 दिनांक 07.11.74 तथा अशा० क्रमांक 449-1 चौ: (1)-75 दिनांक 23.05.1975 की और ध्यान देंगे ।

2. इस सम्बन्ध में विचार किया गया है और यह निर्णय लिया गया है कि संदर्भित पत्रा द्वारा जारी की गई हिदायतें जिनके अनुसार किसी भी विभाग में किसी भी स्तर पर प्राप्त होने वाली Anonymous और Pseudonymous शिकायतें चौकसी विभाग में बनाये गये विशेष सैल को भेजी जा रही है, वापिस ले ली जायें । अथत् भविष्य में इन हिदायतों के अनुसार इस प्रकार की शिकायतें चौकसी विभाग के विशेष सैल को न भेजी जायें और उनका निपटान अपने स्तर पर ही कर लिया जाये । यदि विभागों में ऐसी प्राप्त होने वाली शिकायतों में कोई विशेष verifiable data दे रखा हो और प्रशासकीय विभाग उस सम्बन्ध में चौकसी विभाग द्वारा जांच करवाने की आवश्यकता समझे तो अपनी सिफारिश के साथ शिकायत चौकसी विभाग की जांच हेतु भेज दी जाये ।

हस्ता०

उप सचिव चौकसी,  
कृते : सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. वितायुक्त राजस्व, हरियाणा ।
2. हरियाणा के सभी प्रशासकीय सचिव ।

अशा० क्रमांक 1728-चौ: (1)-77 /

दिनांक 4 मई, 1977

क्रमांक 1728.(1) चौ: (1)-77 / 12180

दिनांक 4 मई, 1977

एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही हेतु भेजी जाती है ।

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला तथा हिसार मण्डल,  
सभी उपायुक्त, उपमण्डल अधिकारी ;सिविलद्ध, हरियाणा ।
2. रजिस्ट्रार पंजाब तथा हरियाणा हाई कोर्ट, जिला तथा सत्रा न्यायाधीश ।

हस्ता०

उप सचिव चौकसी,  
कृते : सचिव, हरियाणा सरकार, चौकसी विभाग ।

एक प्रति निजी सचिव, सलाहकार राज्यपाल, हरियाणा, चण्डीगढ़, को सूचनार्थ प्रेषित की जाती है ।

हस्ता०

उप सचिव चौकसी,  
कृते : सचिव, हरियाणा सरकार, चौकसी विभाग ।  
सेवा में

निजी सचिव, सलाहकार राज्यपाल, हरियाणा ।

अशा०क्रमांक 1728-1 चौ: (1)-77

दिनांक 4 मई, 1977

APPENDIX 'C'

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d'i; k bl i=k dh i korh Hksta A

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I a Ør I fpo] pkšdl h] d'rs % eq[; I fpo] gfj ; k.kk I jdkj] pkšdl h foHkkx A

**PPR 25.17 Supervision by gazetted officers.**

- (1) In all important cases gazetted officers are required personally to supervise the investigation so far as is possible and when necessary to visit the scene of the offence.
- (2) A record of investigations by gazetted officers shall be kept in the prescribed column of the register of cognizable offences and an abstract thereof shall be shown in the quarterly Inspection Statement and in the Annual Provincial Statement.
- (3) Every gazetted officers shall maintain a running note-book of offences, in which he shall enter the salient points of the first information report and case diaries as he hears them. The following are some of the points that should be entered in his note-book.

*First Information Report*

- (a) Police Station, village, section, date and time of offence ;
- (b) Distance of village from police station and date and time of investigation opening.
- (c) Name and rank of investigating officer, who should always be the senior officer available. Reasons for junior officer taking up cases should be most carefully checked ; and
- (d) Salient features of the case.

*Cases Diaries*

- (a) Date of case diaries ;
- (b) By whom written and where ; and
- (c) Salient features.

All unnecessary delays in the course of investigation, in chalaning successful cases or in submitting final reports in untraced cases should be carefully observed and stopped. Deputy Inspector-General shall call for these note-books at their inspections and insist on their being intelligently used for the purpose of efficient supervision of investigations.

(4) Gazetted officers shall interest themseleves in the chalans of cases in their charge as they come in and discuss them with the prosecuting inspector, and if possible, with the officers who investigated them ; and shall keep in touch with the proceedings in court.

(5) Every gazetted officer in headquarters should see daily the English register (27.36) of cognizable offences, with special reference to columns 14 to 17 in regard to cases in his charge, and he should bring to the notice of the District Magistrate through the proper channel, any unnecessary delay that occur in dealing with cases in courts, instances in which witnesses come up with chalans and are sent back unheard, and delays in framing Charges, hearing arguments or pronouncing judgements.

(6) Gazetted officers should follow closely the progress of cases in their charge through the courts and they should ascertain, as soon as possible,

the grounds for all discharges and acquittals. If the grounds for the discharges or acquittals appear to be unreasonable, they should at once bring the cases prominently to the notice of the District Magistrate through the Superintendent of Police.

**PPR 25.53 Case Diaries.**

(1) Section 172 (i), Code of Criminal Procedure requires that a case diary shall be maintained shall submitted daily during an investigation by the investigating officer. In such diary shall be recorded, concisely and clearly, the steps taken by the police, the circumstances ascertained through the investigation and the other information required by section 172(i), Code of Criminal Procedure.

(2) Case diaries shall be as brief as possible ; shall not be swollen with lengthy explanations and theories, and shall be written either in English or in simple Urdu.

Only such incidents of the investigation shall be included as have a bearing on the case.

(3) Detailed lists of stolen property, or of property seized in the course of a search, shall be entered in the first case diary submitted after the facts relating to such property were reported to, or discovered by the investigating officer.

(4) The fact the copies of the record prepared under the provisions of section 165 or 166, Code of Criminal Procedure, have been sent to the nearest magistrate empowered to take cognizance of the offence shall also be noted.

**PPR 25.54. Record of case diaries.**

(1) Case diaries shall ordinarily be submitted in Form 25.54 (1) and each sheet shall be numbered and stamped with the station stamp. Two or more copies, as may be ordered, shall be made by the carbon copying process by the officer conducting the investigation. The officer writing a case diary shall enter in such diary a list of the statements, recorded under section 161, Criminal Procedure Code, which are attached to such diary and the number of pages of which each such statement consists.

(2) They shall be sent from the scene of investigation to the police station without delay.

(3) On arrival at the police station the number and date of each case diary shall be recorded on the reverse of the police station copy of the first information report, and the date and hour of receipt shall be entered on each copy of the diary.

(4) The original shall be dispatched with as little delay as possible to the Inspector or other superior officer as may be ordered, after the time of despatch has been entered in the space provided in the form on both the original and the copy or copies.

Orders for the disposal and record of case diaries in the headquarters office are contained in rule 11.70. Also see rule 27.38.

(5) A copy of every case diary shall be retained at the police station, a separate file being maintained for each case. Such files shall be destroyed in accordance with the periods fixed in sub-rule 27.39 (5).

(6) Copies of all orders received at a police station in connection with case diaries and the replies thereto shall be made on blank sheets of paper and shall be attached to the case diary to which they refer.

**FORM NO. 25.54 (1)**

CASE DIARY

POLICE STATION \_\_\_\_\_ DISTRICT \_\_\_\_\_

First Information Report No. \_\_\_\_\_ of 19 \_\_\_\_\_ Case Diary No. \_\_\_\_\_

Date and Place of occurrence \_\_\_\_\_ Time and date of receipt in Police Station. \_\_\_\_\_

Time and date of despatch from Police Station. \_\_\_\_\_

Offence :-		
Date (with hour) on which action was taken	Serial No. of report	Record of Investigation
CASE DIARY-CONTINUED		

**APPENDIX 'E'**

(Authorised English Translation)

**HARYANA GOVERNMENT****HOME DEPARTMENT****Notification**

The 16th December, 2002

**No. S.O. 102/C.A. 2/1974/S. 2/2002 :-** In exercise of the powers conferred by clause (5) of Section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and in supersession of Haryana Government, Home Department, notification No. S.O. 1/C.A. 2/1974/S. 2/97, dated 2nd January, 1977, the Governor of Haryana hereby declares that the offices specified in column 1 of the Schedule 1 given below, shall be police stations and they shall have jurisdiction within the areas specified against each of them in column 2 of the said Schedule for the purposes of offences mentioned in Schedule II below, namely :-

**SCHEDULE I**

Name of offices		Areas of Jurisdiction
1.	Office of the Superintendent of Police, State Vigilance Bureau, Ambala.	The Districts of Ambala, Kaithal and Kurukshetra.
2.	Office of the Superintendent of Police, State Vigilance Bureau, Rohtak.	The Districts of Rohtak, Karnal, Panipat, Sonapat and Jhajjar.
3.	Office of the Superintendent of Police, State Vigilance Bureau, Hisar.	The Districts of Hisar, Sirsa, Jind, Bhiwani and Fatehabad.
4.	Office of the Superintendent of Police, State Vigilance Bureau, Gurgaon.	The Districts of Gurgaon, Faridabad, Narnual and Rewari.
5.	Office of the Superintendent of Police, State Vigilance Bureau, Head Quarters, Panchkula.	The Districts of Panchkula and Yamunanagar.

**SCHEDULE II**

- (a)** Officers punishable under Sections 161 to 165 A, 166, 167, 168, 169, 170, 171, 197, 198, 201, 204, 217, 218, 379 to 382, 384 to 389, 403, 406 to 409, 411 to 414, 417 to 420, 465 to 471 and 477A of Indian Penal Code 1860 (45 of 1860)
- (b)** Offences punishable under the Prevention of Corruption Act, 1988 (49 of 1988).
- (c)** Offences relating to the contravention of Essential Commodities Act, 1955 (10 of 1955) and Official Secret Act, 1923 (19 of 1923).
- (d)** (Attempts in respect of offences mentioned in items (a) to (c) above by whom so ever committed.

**BIRBAL DASS DHALIA,**  
Financial Commissioner and Principal  
Secretary to Government Haryana,  
Home Department.

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 gfj ; k.kk I jdkj  
 xg foHkkx  
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 fnukad 16 fnl Ecj] 2002

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 I a[; k dk0vk0 1@d0v0 2@1974@/k0 2@97] fnukad 2 tuojh] 1997] dk  
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2-	dk; kÿ; i fyl v/h{kd] jkT; pkdl h C; ij kÿ jkgrd A	jkgrd] I kuhi r] ikuhi r] djuky vkÿ >Ttj ds ftys A
3-	dk; kÿ; i fyl v/h{kd] jkT; pkdl h C; ij kÿ fgl kj A	fgl kj] fl j l k] thn] fhkoku vkÿ Qrgkckn ds ftys A
4-	dk; kÿ; i fyl v/h{kd] jkT; pkdl h C; ij kÿ xMxka A	xMxka] Qjhnckn] ukj ukÿ vkÿ fjokMh ds ftys A
5-	dk; kÿ; i fyl v/h{kd] jkT; pkdl h C; ij kÿ ed[; ky; ] i pdnyk A	i pdnyk vkÿ ; epukuxj ds ftys A

**vuq iph & AA**

¼d½ Hkkjrh; n.M I fgrk] 1860] (1860 dk 45) dh /kjk; a 161 I s 165 d]  
 166] 167] 168] 169] 170] 171] 197] 198] 201] 204] 217] 218] 379 I s  
 382] 384 I s 389] 403] 406 I s 409] 411 I s 414] 417 I s 420] 465 I s 471  
 vkÿ 477 d] ds v/khu n.Muh; vijk/k %

¼[k½ Hk'Vkpj fuokj.k vf/fu; e] 1988 ¼1988 dk 49½ ds v/khu n.Muh;  
 vijk/k %

¼x½ vko' ; d oLrq vf/fu; e] 1955 ¼1955 dk 10½ vkÿ 'kkl dh; xqr ckr  
 vf/fu; e] 1923 ¼1923 dk 19½ ds mYya'u I s I EcfU/r vijk/k A

¼k½ ftI ds }kjk Hkh fd; k x; k mDr en ¼d½ I s ¼x½ ea of.kr vijk/ka ds  
 I EclU/k ea ç; Ru djrk gSA

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 fork; Ør , Ø ç/ku I fpo]  
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 xg foHkkx A

**Annexure -F****INVESTIGATING OFFICER'S KIT**

1. One bottle 50 gm. containing Phenolphthalein Powder.
2. One bottle 500 gm. containing Sodium Carbonate.
3. Minimum 4 empty NIP.
4. Four white cloth stitched bag.
5. One meter white cloth for parcel.
6. One water jug.
7. Two bottle of water.
8. Sealing wax.
9. Candle stick.
10. Match box.
11. Seal.
12. Stitching thread.
13. Sewing needle.
14. One dozen blank envelope.
15. One tin slate.
16. One gun bottle.
17. One scale.
18. White paper.
19. Carbon.
20. Oil pin.
21. One torch.
22. One bundle tags.
23. One pair of scissor.
24. One brush.
25. Sketch pen.
26. Ball point pen.
27. Compass.

**APPENDIX-G****Haryana Government**

## HOME DEPARTMENT

**Notification**

Dated, Chandigarh the 16-8-2000

**No. 8/113/2000-6HGI.-** In exercise of the Powers conferred by First Proviso to Sub-section (I) of Section 17 of the Prevention of Corruption Act, 1988 (49 of 1988) and in suppresion of Haryana Govt. Home Department order No. 8261-2H-70/32862, dated 23/34 Dec. 1970, the Governor of Haryana hereby authorises for the purpose of the said proviso, the Inspectors of Police serving in the State Vigilance Bureau of the Vigilance Department of Haryana to investigate any offence punishable under this Act without the order of the Magistrate of Ist Class or make any arrest, therefore, without a warrant.

Birbal Dass Dhalia,  
Financial Commissioner & Secretary to Govt.,  
Haryana, Home Department.

Endst. No. 8/113/2000-6HGI

Dated, Chandigarh the 16.08.2000

A copy is forwarded to the Controller, Printing Press, UT, Chandigarh. He is requested to publish this notification in the next issue of gazette of Haryana Govt. and 50 spare copies be sent to the Home Department.

Sd/-  
Section Officer Home,  
for Financial Commissioner & Secretary to Govt.,  
Haryana, Home Department.

Endst. No. 8/113/2000-6HGI

Dated, Chandigarh the 16.08.2000

A copy is forwarded to the following for information and necessary action :-

- (1) Financial Commissioner & Secretary to Govt., Haryana, Vigilance Department.
- (2) The Director General of Police, Haryana, Chandigarh.
- (3) The Director, State Vigialnce Bureau, Haryana, Chandigarh.

Sd/-  
Section Officer Home,  
for Financial Commissioner & Secretary to Govt.,  
Haryana, Home Department.

office of the Director, State Vigilance Bureau, Haryana, Chandigarh.

Endst. No. 12218/22 1/SVB(H), dated 17-08-2000

A copy of the above is forwarded for information and necessary action to :-

1. The Supdt. of Police, SVB Ranges, Ambala, Rohtak, Hisar & Gurgaon. They are requested to circulate it to all IOs/Insprs. in their Ranges.
2. DSP/SVB(H) Hqrs., Chandigarh for information & similar action.

for Director General,  
State Vigilance Bureau, Haryana.  
Chandigarh.

**APPENDIX -H**

**CHECK LIST for red handed captures**

1. Receipt of written complaint and preliminary verification of complaint. (motive of demand of illegal gratification, amount demanded, date, time and rendezvous point should be clearly reflected in the complaint).
2. Constitution of raiding party and briefing of the member of the raiding party. Signal to be adopted for communication should be clearly explained.
3. Preparation of seizure memo of currency notes, notes should always be taken from the complainant, Investigating Officer should not provide the notes.
4. The Investigating Officer/GO should initial all the currency notes and carefully apply phenolphthalein powder on each of the notes.
5. Personal search of complainant and his companions (including shadow witness) should be carried out.
6. Handing over of currency notes to complainant, memo to be prepared.
7. Departure for the spot, rounding up of the accused and recovery of currency notes.
8. Preparation of seizure memo of notes recovered.
9. Hand wash of the accused to be carried out recovery memo to be prepared.
10. Currency notes recovered to be washed, wash memo to be prepared.
11. Pocket of shirt/pant wash to be carried out and wash memo to be prepared.
12. Seizure memo of shirt/pant/diary etc. to be prepared.
13. Seizure memo of relevant records.
14. Inspection of sites and preparation of site plan.
15. Examination of witnesses.
16. Examination of accused.
17. Examination of accused as per procedure.
18. Arrest of accused as per procedure.
19. After completion of investigation preparation of challan.
20. Obtaining necessary prosecution sanction.

**Annexure -I****DETAILED PROCEDURE PRESCRIBED FOR INVESTIGATION OF CASES OF ASSETS DISPROPORTIONATE TO KNOWN SOURCES OF INCOME.**

Before the amendment of Section 5 of Prevention of Corruption Act, 1947, the possession of disproportionate assets by a Government servant did not create an offence or criminal misconduct independently. It was merely a rule of evidence which empowered the court to presume the guilt of a delinquent official under certain specified circumstances. After the amendment, however, the possession of disproportionate assets by a delinquent official has become a substantive offence. Sub-section (3) of Section 5 of the Prevention of Corruption Act, 1947, which dealt with the subject place of other clause (e) has been added to Sub-section (1) of Section 5 of the said Act. The amended Section 5(1) now reads as under :-

“Section 5(1). A public servant is said to commit the offence of criminal misconduct –

(a) \_\_\_\_\_

(b) \_\_\_\_\_

(c) \_\_\_\_\_

(d) \_\_\_\_\_

(e) If he or any person on his behalf is in possession or has, at any time during the period of his office, been in possession, for which the public servant cannot satisfactorily account of pecuniary resources or property disproportionate to his known sources of income.”

The necessary conditions which must be satisfied before the offence of criminal misconduct can be said to be committed by a person under Section 5(1) (e) are :-

- (i) The accused must be a public servant.
- (ii) He or some other person on his behalf must be found in possession of pecuniary resources or property, which is disproportionate to his known sources of income;
- (iii) The date on which the accused is found to be in possession of disproportionate assets must fall after 18-12-1964. This is necessary because the offence u/s (5) (1) (e) has not been given retrospective effect ;

- (iv) The accused is not able to satisfactorily account for the possession of such disproportionate assets. Since the possession of disproportionate assets becoming a substantive offence, the responsibilities of the Investigating Officers, while investigating such cases, have considerably increased. They should collect sufficient material so as to be in a position to satisfy the court beyond and reasonable doubt that the offence under Section 5(1) (e) has been committed.

3. The subject of disproportionate assets cannot be discussed effectively, unless a few common terms, which are likely to be used frequently, are explained. For illustrating these terms, sometimes, a reference to Statements I to IX already circulated vide Circular No. 21/1/60-GD dated 7.11.1964 has become necessary, though these Statements will come up for discussion subsequently.

**I. Assets :** For our purpose the term “Assets” means the total value of the property, both movable and immovable possessed by a Government servant at the time of checking Assets should in no case be confused with income or emoluments or receipts. They refer only to what is actually in possession of a person at a particular time. Various categories of items mentioned in Statements Nos. I, III and V are the example of immovable and movable assets.

**II. Period of Check :** The period during which a delinquent officer is suspected to have indulged in corrupt practices and for which his accounts and conduct are subjected to a check is known as the “Period of check”. It is this, “Period of check” during which the entire income and expenses have to be worked out and the excess of income over expenditure calculated. This difference will give the quantum of “Likely Savings” or “Over spending” which is used for measuring whether the assets in possession of the delinquent officer at the end of this period were disproportionate to his known sources of income.

The “Period of check” has to be fixed after due consideration, taking care that it should not be unduly long as to make thorough investigations for the earlier years absolutely impossible and nor should it be too short that some crucial years are simply ignored. It has to be the optimum period during which the accumulation of assets by the delinquent officer was the maximum and during which he is suspected to have indulged in malpractices. There are a few advantages in having a reasonably short period of check. It is easier to make thorough checking for a shorter period than for a longer one. It is more difficult to make investigations and to get useful evidence for earlier years than for later ones. Moreover even a moderate disproportion discovered for a shorter period will be more effective than that for a longer period because if it is spread over the entire period the net effect may turn out to be negligible.

**III. Total Income :** “Total Income” during the period of check may include not only the income from salary but also other receipts of various categories. The items usually constituting “Total Income” are illustrated in Statement No. VII.

**IV. Total Expenditure :** Under the head “Total Expenditure” are included all items which are clear and out-right expenses of the delinquent officer during the “Period of Check”. Expenses which constitute the acquisitions of assets should not at all be considered under this head. They will come in the category of “Assets”. Examples of items which should generally constitute the “total Expenditure” are detailed in Statement No. VIII.

**V. Likely Savings**

**VI. Over Spending**

**VII. Disproportion Assets**

If the “Total Expenditure” during the “Period of Check” is deducted from the “Total Income during the same period,

the result would be the “Likely Savings”. On the other hand, if the “Total Expenditure” exceeds “Total Income” during the “Period of Check”, the excess would give a measure of the “Over Spending.” In the case of an honest officer, the value of ‘Assets’ at the end of the “Period of Check” may be less than or at the most equal to the “likely Savings”. In any other case where the “Assets” exceed the “Likely Savings” or elsewhere there is “over Spending” the officer concerned will be considered to possess assets disproportionate to his known sources of income or simply “disproportionate Assets.”

4. It may not be out of place to mention here that the possibility of a good case arises only if the “Assets” are considerably more than the “Likely Savings” and are thus sufficiently disproportionate to the known sources of income. Once the disproportion is discovered the delinquent officer should particularly be asked to explain as to how he got the disproportionate or excessive assets i.e., those which cannot be explained by the “Likely Savings.” If he cannot account for that satisfactorily he would be liable to the charge of possession of assets disproportionate to his known sources of income. Accordingly, the provisions of clause (e) of Sub-Station (1) of Section 5 of the Prevention of Corruption Act, 1947 will be attracted.

5. The accused cannot be said to have discharged the onus lying on him for rebutting the charge of possession of disproportionate assets by merely offering a plausible explanation as to how he came by the unaccounted wealth. On the other hand he has to satisfy the court by leading good evidence that his explanation was worthy of acceptance. In view of this the Investigation Officer should be well prepared and be in possession of material to counter such evidence, if and when produced by the accused.

6. Coming to the general investigational aspect of this matter, it is well known that no books of account giving details of income, expenditure etc., are likely to be maintained by Government servants. Therefore the success of a case of disproportionate assets will greatly depend upon the information which an Investigating Officer can procure from various other sources. And the bank accounts of a Government servant normally afford a very useful sources of information. It is, therefore, very necessary that in addition to other particulars, all the bank accounts, which an officer is suspected to have operated at any time must be collected and subjected to a very thorough and searching scrutiny. It has been found from experience that an intelligent scrutiny of the bank accounts invariable helps of in a number of ways and the chances of making a good case are sufficiently brightened. I may discuss a few instances indicating how the scrutiny of bank accounts may yield useful results :

- (i) In a current of savings accounts, small odd amounts may be found credited. On enquiries or sometimes even from the narration given in the statements of account, it may be found that these amounts actually represent interest on Fixed Deposit or Short Term Deposit or cash Certificates etc. If the relevant accounts from which the interest in question is credited are in turn called and scrutinized, large amounts may be found credited in those accounts and that would give clue to assets, which might not have been disclosed by the accused;
- (ii) It may also be found that a cheque from another undisclosed bank account of the accused is credited in the account, which is under scrutiny. Getting details of the other bank accounts, which had so far been undisclosed, would bring to light further assets of the accused ;
- (iii) Sometimes, an accused official might have opened bank account in the name of some of his dependents. Detailed scrutiny of the transactions in that account would also prove useful in discovering undisclosed assets. Sometimes, the account may be in the name of a domestic servant or a close relative. To prove that the account actually belonged to the accused and was also operated by him, it will be necessary and to get from the bank, the “Bank Account Opening Form” and also establish the identity of the person, who introduced the ostensible owner of the account of the bank, the specific instructions to the bank for operation of the account in question may also prove useful. In many cases, it would be found that it was the accused person, who had got that account opened in the name of the servant or the relative ;
- (iv) The dates of cash deposits in the bank, if scrutinize minutely, would prove very useful in cases where it is alleged by the accused that the

deposits were out the loans taken from some friends or relatives. If there is evidence in the personal accounts, if any, of those persons that the money for giving the loan in question had actually been withdrawn on a later date, the cash credited at an earlier date in the bank account of the accused, would clearly show that the amount deposited did not represent the loan amount and it was some other unexplained money of the accused. In order to cover up that credit, the accused might have taken a loan subsequently ;

- (v) The accused may, sometimes, take loan from the bank for the purposes of constructing property or meeting some other big expenses. In such a case, though the source of that particular expenditure is satisfactorily proved as having come from the bank, still security on the bases of which the loan is received will throw considerable light on the assets possessed by the accused official. Scrutiny of the documents executed for obtaining the loan would bring to light some fixed deposits, shares, securities or properties on the security of which loan had been taken. These assets might not have initially come to the notice of the Investigating Officer.
- (vi) Banks usually purchase and sell shares or securities for their constituents. These transactions are normally recorded in the constituents current accounts. A close scrutiny of such an account would indicate what shares or securities had been purchased by the accused and if they had not been sold whether they find a place in the assets disclosed by him or discovered by the I.O. Similarly, the information regarding the sale of shares or securities would help to find out if the initial source of investment in the said shares or securities is explainable or not ;
- (vii) The scrutiny of the deposits in the bank accounts would indicate whether all the salary cheques or income from other known sources has been deposited in these accounts or not. If it is found that all the incomes are faithfully deposited in the bank account, but the withdrawals for personal and house-hold expenses from these accounts are not sufficient for maintaining the standard, which the accused official is actually observing these will be sufficient indication that the accused official had met his expenses out of the money received by him by corrupt practices ;
- (viii) The credits in bank account in respect of dividends on shares or interest on securities would help the Investigating Office to find out what share

and securities were possessed by the accused. This would help him to discover further disproportionate assets.

- (ix) Investigation into the major items of credits or debits would help in a number of ways e.g., they would throw light on the sales or acquisitions of assets, which might not have been disclosed; receipt of money from insurance companies on maturity of policies, the payment of premia for which might not have been shown; amounts received on maturity of certain fixed deposits which might not have been disclosed earlier, etc.
- (x) It is needless to emphasize that the quantum of normal expenses can easily be determined from an intelligent scrutiny of the bank accounts.

From the above, it is clear that a close scrutiny of the bank accounts is likely to bring to light a lot of useful information, which otherwise may not at all be possible. It is true that a lot of labour is involved in the scrutiny of bank account and in collecting the information on various interesting items sorted out therefrom. This labour is very necessary and ultimately it is bound to yield very useful results.

7. After having discussed the general aspects, let us now come to the specific issued, which an Investigating officer has to tackle while processing a case of disproportionate assets. So far as the 'Total Income' of a delinquent officer is concerned, it is necessary that all known sources should be discovered, and investigated, and income therefrom should be fully considered. It is likely that a delinquent officer may sometimes try to inflate his income with a view to explain a way the disproportionate assets possessed by him. The Investigating Officer has to guard against such a tendency.

Some of the major items which are likely to figure in the statement of total income are discussed below :-

**(1) Pay and Allowances.**

There is generally no difficulty in ascertain the emoluments drawn by a Government servant during the "Period of Check". Sometimes it has been complained that this information is not forth-coming quick enough. It is, therefore, necessary that requisitions for supply of this informations may be sent to the disbursing authorities immediately a case is taken up for investigation. Sometimes back some difficulty was experienced in obtaining information regarding pay and allowances of Gazetted Officers also from various Accountants General. Vide their letter No. 2685-Admn. 632-63 dated the 2<sup>nd</sup> November, 1963 the office of the Comptroller and Auditor General of India had asked all the Civil Accounts General also the Accountant General, Posts & Telegraphs to furnish the information to the SPE

on a priority basis. Recently, their letter No. 2065-T. A.I/632-663 dated the 12<sup>th</sup> July, 1965 all the Accountants General have been asked to supply the information, with in one month of the receipt of request from the S.P.E. In view of this no difficulties may be experienced in future. The Superintendents of Police are, however, advised to address the communication to the Accountants General concerned by name, so that is not lost sight of.

**(2) Income from Immovable Property**

This can be derived in three different ways, viz.

- (i) Sale proceeds of property;
- (ii) Compensation arising on acquisition of property;
- (iii) Income by way of rent of property.

So far as the transactions of sale of immovable property are concerned; all documents are required by law to be registered in the Registrar's office. The actual sale-price of property can be easily ascertained after examining the records in the Registrar's office. If necessary the personal books of accounts and records of the purchaser may also be usefully examined. Sometimes the evidence of important witnesses may be useful.

Regarding the compensation for acquisition of property, it can easily be ascertained from the official records of the authority allowing such Compensation.

The income form rent etc. can be collected by examining the tenants and sometimes also be examining the rent receipts issued from time to time and the documents executed for the lease of property.

Information on some of the aspects noted above can also sometimes be obtained form the records available in a Municipal Committee.

Information on all these aspects can also be obtained form the Income Tax assessment records of the person possessing the property in question and also sometimes of its purchase (in case of sale of property in question). These records may sometimes contain useful information regarding the explanations which the persons concerned had furnished in the course of investigations by the Income Tax Department. These explanations may sometimes be usefully utilized by us.

**(3) Income from Moveable Assets :**

The income can come in a number of manners, the important ones being :-

- (i) Dividend on shares.

- (ii) Interest on Securities or Debentures;
- (iii) Interest on deposits;
- (iv) Profits or sale proceeds arising out of sale of shares, securities, debentures or other movable assets.

So far as the income from shares, securities, deposits etc. is concerned, this can be obtained from the companies or the firms, with which the said investments stand.

Regarding sale of movable articles the information can be obtained by examining the relevant records or by interrogating the persons having knowledge of such transactions.

Again for this purpose the Income Tax assessment records may sometimes serve a very useful purpose. So far as the dividend on shares of interest or securities concerned, the income tax at the maximum rate is normally deducted at source before the payments are made to the owners of the relevant shares or securities. The refund of extra tax which is deducted has to be claimed by the holders by filling their individual return of income. Therefore, the relevant information regarding the possession of such assets and also the income there from can conveniently be obtained from the income tax assessment files.

#### **(4) Income from Bequests and Gifts.**

In quite a large number of cases the delinquent officials seek to trace sizable portion of their income to bequests and gifts, allegedly received from various relatives and friends on occasions like marriages, child births, deaths etc. The Investigating Officer has to verify whether the alleged donors were in a position to make such payments to the delinquent officer as alleged. In this connection it may also have to be seen whether the delinquent officer was singled out for such favours or whether he was similarly placed as others in the same position. If there is any documentary evidence indicating such presents that has to be critically examined. The possibility that such an evidence has been created subsequently to shield the delinquent officer is always there and such a possibility should never be left unexplored. In respect of gifts etc. if there are made on stamp paper, the security of the relevant stamp papers and the dates on which they were purchased is sometimes likely to serve very useful purpose. Supposing the stamp paper had been printed on was sold on a date after the said transaction had allegedly taken place it would immediately establish that the document was prepared subsequently with a view to shield the concerned official.

The Income Tax assessment records of the alleged donors, in case of gifts of big amounts may sometimes confirm or disprove the alleged

transaction. If the gifts of amounts bigger than the values exempted under the Gift Tax Act are made a reference to the Gift Tax records of the donors may prove whether the transactions were genuine or else they were merely a device to shield the suspect officer.

##### **(5) Income from Miscellaneous Sources**

Apart from the specific sources noted above, the delinquent officer may sometimes have income from some other sources, e.g., matured insurance policies, Income Tax refunds, reimbursement of medical charges or travelling expenses, loans or overdrafts etc. In respect of all these sources it is necessary that the Investigating Officer may collect the relevant information from all possible quarters concerned.

8. After having collected full information about all known sources of income of the delinquent official, the Investigating Officer should complete Statement No. VII. Income from specific sources detailed in the said Chart should be indicated against the respective heads (S. No. 1 to 13). If there is income from some other unspecified sources, that may be shown in head No. 14. Of course details of such sources must be briefly mentioned.

9. For ascertaining the correct income of an individual the scrutiny of income tax assessment records is always likely to prove very useful. For income tax assessment purposes the tendency of a person is always to understate the income so that he has to pay less tax. When the same person's case is being investigated for working out disproportionate assets he will try to exaggerate his income. Thus between these two extremes reasonable figures can always be ascertained provided the Income Tax records are minutely studied and at the same time the evidence produced in support of alleged sources of income is critically examined.

10. It may not be out of place to mention here that it is the net income from all sources which is available to a person for meeting his expenses and also for securing the assets which he possesses. In case the gross income has been taken into account, all expenses which were deducted at source or which were incurred before the income was actually received for meeting day-to-day expenses should be considered under the head "Total Expenses". The policy followed should be uniform. The ultimate result in either case is not going to differ provided the calculations are made in a correct and systematic manner.

(11) After having discussed the "Total Income" we come to the "Total Expenses" during the "Period of Check". For making an appropriate and realistic estimate of the expenditure incurred by a delinquent officer due regard has to be paid to his official status, his mode of living number of dependents, the places of posting etc. With the change in any of these factors the amount of expenditure is likely

to differ. It is a common knowledge that the delinquent officer will invariably try to understate his expenditure so that the quantum of likely savings is correspondingly increased. It is the duty of the Investigating Officer to bring to surface all such expenditure which has not been disclosed by an officer.

(12) Some of the common items of expenditure and the modes of their verification are discussed in the following paras :

**(1) Income Tax Payments**

Information regarding correct and up-to-date income tax payments can be obtained from the pay bills of the concerned offices. In case such an officer has been filing his income tax returns either on account of his having some other sources of income or for claiming motor-car or scooter rebate etc., the information of income-tax payments may best be obtained from his income tax assessment records.

**(2) Provident Fund Contributions**

The information regarding contributions to the Provident Fund can be obtained from the appropriate disbursing authorities. Normally these contributions are deducted before the salary is paid.

**(3) Insurance Premia**

If premia for certain types of insurance policies e.g., Postal Life Insurance etc. are deducted from the pay bills, the information in respect of the Enquiry can be obtained from the disbursing authorities. In other cases, the information regarding insurance premia can be collected from the Insurance Companies concerned after obtaining the full particulars of insurance policies etc. from the delinquent officer.

Both for provident fund contributions and insurance premia the best way to get the information in case of persons who regularly file their income tax returns is to examine their income tax assessment records. So long as the total payment under both these heads is less than the limits prescribed under the Income Tax Law, an officer is bound to claim rebate of income tax on the entire amount. While doing so sometimes the Insurance Policy numbers, dates of policies and the periodical premia are also mentioned clearly in the Income Tax assessment records. All this information can be usefully employed, not only for getting Information about the total payments made under these heads but also for discovering some bank accounts of the delinquent officer by ascertaining from the insurance companies concerned whether the payments were made by cheques or by cash and, if by cheques, by taking details thereof including the names of bank.

**(4) House Rent**

The information regarding house rent, in case the delinquent officer has been in occupation of Government accommodation, can be ascertained from the disbursing authorities, because the house rent is normally deducted at source from the salary before the payment is made. Where, however, the rent is paid to private owners of building enquiries have to be conducted with the land-lords. It is necessary to examine the agreement for occupying the premises and also the rent receipts. In case the payments are stated to have been made by cheques the bank accounts will also help the Investigating Officer considerably. Sometimes enquiries with contents may yield useful results.

**(5) Electricity and Water Charges.**

The information in respect of electricity and water charges can be easily obtained from the authorities which supply these services e.g., the Municipal Authorities, Electricity Supply Companies etc.

**(6) Expenditure on Education of Children**

The Investigating Officer has to make intelligent enquiries to find the institutions in which the children of the delinquent officer go for education. From these institutions enquiries can be made regarding the school fees or other charges paid. If the delinquent officer is entitled to reimbursement, whether wholly or partly of expenses on education of children according to the conditions of his service, the information regarding the actual expenditure incurred could be obtained from the official records. While ascertaining the expenditure on education it is equally necessary to obtain the information regarding expenditure on books, stationery, private coaching, uniforms wherever prescribed etc. Certain institutions insist on receiving their school fees by cheques. In such cases, the information regarding this expenditure can be obtained by a scrutiny of the bank accounts. Sometimes the children of a delinquent officer may be sent for study to schools at out stations, where they are required to stay in hostels. The boarding and lodging expenses at the hostels must also be taken into consideration for arriving at the reasonable estimate of expenditure on education.

**(7) Maintenance of Motor-Car or other Conveyance**

Where a delinquent officer owns a motor car or other modes of conveyance, the expenditure on maintenance of such conveyance has to be estimated by having regard to the make, horse power, the year of manufacture etc. If he possesses more than one conveyance, the information regarding all of them must be obtained. The expenditure on petrol, servicing could be obtained from the service stations where the officer ordinarily goes for such services. The information regarding

road tax, repairs insurance etc. can be obtained from the authorities or persons, to which payments were made.

For some time past, however, the Income Tax Department has been allowing some rebate for the use of his own car for official purposes by a salaried employee. For claiming this rebate he has to furnish full details under various head of expenditure incurred on the maintenance and also the wear and tear of the conveyance. This information can very usefully be utilized for ascertaining the expenditure on motor car or other conveyance.

While claiming rebate for expenditure on own conveyance a delinquent officer may sometimes try to exaggerate the quantum of expenses. On the other hand, when the case is being processed for disproportionate assets, his tendency may be to understate this expenditure. Therefore, the comparative scrutiny of both these versions, i.e. one made before the Income Tax authorities and the other before the Investigating Officer, will certainly prove to be useful.

#### **(8) Expenses on Marriage etc.**

Expenditure on marriages of the dependents or on other religious or social ceremonies can be approximately calculated from the circumstantial evidence e.g., the official position of the delinquent officer, his social status, his family background, his personal habits, the status of the other party concerned (in the case of marriage the time and place where the function took place etc.)

Sometimes certain amounts of money are continuously deposited in the account of a daughter for her marriage purpose and at the time of marriage the entire amount is withdrawn. In such a case, unless, proved to the contrary, the entire, amount may reasonably be taken as the expenditure incurred on the marriage.

In case a delinquent officer gives some dowry in the form of fixed or other deposits, shares, securities etc. in the marriage of his daughter, the income tax assessment records of his daughter or the son-in-law are likely to throw some useful light on the expenditure. Again if the son-in-law happens to be in Government service and he declares the receipts of such amounts under the Conduct Rules applicable to him the information available in his declarations may be usefully utilized.

#### **(9) Pleasure Trips :**

The expenditure on pleasure trips is likely to form a sizable portion if a person has been regularly undertaking such a trips for long durations. So far as the expenditure on actual fare is concerned it can be estimated at the prevailing rates after ascertaining the mode and class of transport actually made use of. The

duration of the trip and the places visited would also help to form a reasonable estimate of the expenses. The information regarding the hotel bills may serve a useful purpose. In case of journeys abroad, the entries in his passport would indicate the places actually visited by him. This information may be suitably made use of.

**(10) Club and Entertainment Expenses :**

It is necessary to obtain information regarding the clubs or the other institutions of which a delinquent officer is a member. Information regarding membership fees paid and also other expenses incurred may not be difficult to ascertain.

**(11) Medical and Travelling Expenses :**

Where the medical expenses or travelling expenses are reimbursable, the amount of actual expenditure is likely to be more or less equal to the amount of reimbursement. Out of travelling expenses small fractions of savings may be expected, but so far as reimbursement of medical expenses is concerned the precondition for such reimbursement is that the entire amount of expenditure shown must have been actually incurred. Therefore, there is absolutely no question of any saving out of these expenses. In case the official a bank account of a carefully scrutiny of the said account will help the Investigating Officer to ascertain the nature and amount of the actual expenditure under these heads.

**(12) License Fees :**

Payment for the renewal of licences for various items like radio set, driving motor vehicle, fire arms etc. may be ascertained from the concerned licensing authorities. Sometimes the information regarding various licence fees paid by an official may also help to ascertain the assets which he possesses and for which no information has already come to the notice of the Investigation Officer.

**(13) Losses Sustained in Disposal of Assets :**

If the delinquent officer claims loss in certain transactions of sale of movable or immovable properties, it has to be verified. Such a loss will constitute a part of the total expenditure of the office.

**(14) House hold Expenses :**

Whereas all the expenses enumerated above and certain others of specific nature not mentioned can be ascertained more or less precisely, the estimate of house hold expenses poses a very difficult problem. Normally, the household expenses include expenses on kitchen, clothes, servants, washing, smoke, drinks etc.

These expenses are likely to differ from individual to individual depending on his habits, personal tastes, values in life, family background, etc. Even in the case of same person, there is likelihood of variation in these expenses from time to time depending on the following status :-

- (a) Number of dependents ;
- (b) Ages of dependents ;
- (c) Number of domestic servants ;
- (d) Number of guests, received and the frequency thereof ;
- (e) Place of posting etc.

Thus, no strict yardstick can ever be applied for arriving at an estimate of household expenses. No doubt the expenditure under this head constitutes a major portion of the "Total Expenses" yet the Investigating Officers are advised not to lose their balance while estimating household expenses, which have to be worked out on a very sound basis, if the case has to succeed. The Investigating Officers have often been found stumbling on the question of estimate of household expenses. Any error made here is likely to considerably weaken our case. Normally, the delinquent officer may be given a chance to give his own estimate of the household expenses for the period of "Check". This estimate may be taken in a detail fashion and if possible on year-wise basis. Thereafter this may be subjected to a strict Scrutiny with the help of clues detected in the course of investigation. Wherever an under statement is detected and the same can be substantiated by documentary evidence, the necessary adjustments may be made. An estimate finally arrived on this basis will stand on sound footings. This will certainly be accepted by the Court or the Enquiry Officer, as the case may be.

12. Another method, through slightly cruder in form of estimating household expenses in the case of bank minded persons is to analyse the bank drawals from all the banks from month to month. After taking out specific items for purchase of assets or other specific or unusual expenses the remaining withdrawal may be found to be more or less uniform and they would represent roughly the day to day household expenses. A combination of this method and the one mentioned earlier is likely to give ideal results.

In case an official has spent a part of the "Period of Check" in a foreign country an estimate of household expenses has to be made having regard to the conditions prevailing in country visited and also the amount of emoluments actually received abroad.

While making an estimate of household expenses sometimes the expenditure on minor assets like crockery, cutlery, clothing etc. is including in day to day expenses. There is nothing wrong in that. But care should be taken that such

items, if already included in expenses, are not once again included in “Assets”. Otherwise very fantastic results are likely to be arrived at.

13. After details to “Total Expenses” under various heads have been worked out, they may be incorporated in Statement No. VIII. Expenses falling under particular heads indicated in this chart may be shown under the appropriate items from Sr. No. 1 to 14. The remaining types of expenses may be shown against Sr. No. 15 after giving brief details.

14. The value of all “immovable and Movable Assets” of a delinquent official has to be considered at the end of “period of Check”. Various categories of items to be considered are detailed in Statements No. I, III and V. These assets are not exhaustive. Apart from those mentioned in these Statements, if any other assets are possessed by a delinquent officer they will have to be specifically included therein. In the course of investigations the Investigating Officer has to remember that it is not necessary that all the assets acquired or possessed by a Government official must stand in his own name. It is likely that some assets might have been acquired in the names of dependents or other persons. It is equally likely that certain other assets, after having been acquired in his own name, might have been transferred in the names of the dependents or other persons. Documentary evidence regarding such benami purchases or transfers must be collected and made full use of.

15. The information regarding assets possessed by a delinquent officer is likely to be collected in any one or more of the following manners.

- (1) Sub rule (4) of Rule 18 of the Central Civil Services (Conduct) Rules, 1964 authorizes the Government to require a Government servant to furnish a full and complete statement of such movable or immovable property as may be specified held or acquired by him or on his behalf or by any member of his family the details of the means by which or the source from which such acquisitions had been made may also be required to be indicated. Such a statement has to be time limit specified in the said order. By making use of this rule the Investigating Officer may get delinquent officer to furnish a complete statement of his assets.
- (2) Sub rule (1) of the Rule 18 of the same rules requires every Government servant on his first appointment to any service or post and thereafter at such intervals as may be specified to submit a return of his assets and liabilities in the prescribed form. These statements may also be utilised for getting information regarding various assets possessed by an official.

- (3) In case the premises of a delinquent official are searched the information regarding assets actually possessed by him at the time of such search may be obtained. This is an extreme step which should be resorted to only when the Superintendent of Police, have fully satisfied themselves that the delinquent officer had in fact suppressed vital information about his assets and but for a search such information could not be obtained. Search Warrants should be obtained and executed in accordance with the due process of law. If more than one premises are to be searched actin should be taken simultaneously by the Enquiry Officer.
- (4) Yet there is another method of obtaining information regarding assets possessed by an official, and that is by an intelligent scrutiny of the accounts of documents which have come into possession of the Investigating Officer. Some instances as to how the scrutiny of accounts can be helpful for discovering assets are detailed below :-
  - (i) The dividend warrants or vouchers of interest on securities filed by the delinquent officer in the Income Tax Office for claiming refund of income tax deducted at source will clearly indicate the number of shares or debentures possessed by him. With this information, the companies or other issuing authorities concerned can be requested to give complete holdings of not only the delinquent official but also of his dependents. The date of allotment of the shares and also the particulars of receipts of money from the official or his dependents may also be obtained. This process will considerably help in obtaining definite information above assets possessed by the delinquent officer and/or his dependents,
  - (ii) Interest on deposits etc. may declared by the accused in his return of income filed in the Income Tex Department may be checked. From this information it will be possible to find out that he had deposited his funds. By reference to these institutions complete statements of accounts of the accused and/or his dependents can be obtained. These statements of accounts, if scrutinized closely, will bring to light very valuable information in addition to indicating the balance due to the accused and/or his dependents at the time of check.

- (iii) Whenever statements of accounts are received, major transactions in those accounts should be closely followed up. They will show at what other places the accused official is likely to have his accounts or dealings;
- (iv) If huge, withdrawals are made by the accused from his bank accounts or from his accounts with other institutions, the utilization of those withdrawals should be very critically scrutinized. In most of the cases, they may be found to have been utilised for making secret investments;
- (v) Balances in Post Offices Savings Bank Accounts or investments in National Savings Certificates may be even be discovered from the Income Tax records, because interest on these items is specially exempted under the Income Tax Law. Still, it has been noticed that in some cases some persons mention the amount of interest and claim exemption in respect of that.
- (vi) Sometimes a close scrutiny of expenses, which may come to notice either from the bank accounts or from the accounts seized from the delinquent officer, may indicate that the expenditure was incurred for an asset, which had not been disclosed. For example, license fees for radios, radiograms, fire arms etc., repair charges of refrigerators, air conditioners etc., repairs of property, municipal taxes of buildings etc., Though the expenses may appear to be very negligible and not worth pursuing but the purpose for which they are incurred may bring to light big items of assets

16. It may be understood that the declarations filed by the delinquent officers have not to be taken at their face value. The Investigating Officers has to make sure that information about all assets has been collected and the possibility of any item (big or small) having been omitted has been completely ruled out. For this purpose more than one of the methods indicated in the preceding para may be made use of.

17. While working out disproportionate assets an important point which has to be kept in view is that so far as possible the actual cost of the assets to an individual should be taken into account. If the present marked price is attempted to be taken the results arrived would be fantastic. To give an example I may say that an official might have purchased a plot or land for a sum of Rs. 5,000/- somewhere in 1935. The present market value of the same plot might have risen to Rs. 50,000/-. The substitution of market value of the plot in out workings of a case of disproportionate assets will mean inflation of the value of assets by a sum of Rs. 45,000/-. It simply

represents the appreciation in the value of the assets and we are primarily concerned with the expenditure which a delinquent officer has actually incurred for acquiring the assets and not some fancy amounts which he would have spent under certain conditions.

18. While preparing statement of "Assets" the Investigating Officer should make sure that an item which has already been 'considered by him in the "Total expenses" should not one again be included in the "Assets". Otherwise the results obtained by the Enquiry Officer will be erroneous. An item of expenditure can come either in the category of "Total expenses" or in "Assets" but never in both.

19. In their zealouslyness to make a case, sometimes the Investigating Officers are found to work on the presumption that a delinquent official at the beginning of the "Period of Check" had no assets whatsoever. They attempt to work out "Total Income" "Total Expenses" during the period of check and the "Assets" at the end of this period. Ignoring the possibility of "Assets" possessed by the delinquent officer at the beginning of the "Period of Check" they immediately jump to the conclusion that a case of "Disproportionate Assets" is made out. In the subsequent proceedings, however, when it is proved that assets of substantial value were possessed at the beginning of the period, the case weakens considerably. Therefore, it is necessary that, every effort should be made to ascertain the value of "Assets" which were actually in possession of the delinquent official at the beginning of the "Period of Check" The value of these "Assets" should be deducted – from the value of those at the end of this period. It is this net figure i.e. excess of value of Assets at the end of the "Period of Check", over that at the beginning the Enquiry, which should be compared with the "Likely Savings".

20. After having collected the information about the "Total Income" and "Total Expenses" during the "Period of Check" and also the value of "Assets" first at the beginning of this period and again at the end of the said period, the Statement No. IX, must be completed. The final result displayed by this statement will indicate whether or not the assets possessed by the delinquent officer are disproportionate to his known sources of income.

21. The following extract- from the Circular, Order No.22 dated 7-6-1956 of the Inspector General of Police, Special Police Establishment is relevant in this connection.

"The crux of the case will depend upon this comparison between Assets and likely Savings. While making this comparison it should not be overlooked that there is a scope for argument on certain items of expenditure e.g., expenses on marriage and religious ceremonies and on food, clothing, servants etc. On all such arguable items the benefit must be given to the Government servant concerned unless clear and definite proof is available against him. In view of the difficulty in

calculating income and expenditure absolutely accurately the case will not be good if the Assets are equal to or even a little more than the Likely Savings. The possibility of a good case arises only if the Assets are considerably more than the Likely Savings and are thus obviously disproportionate. In such cases there will be need for further and more detailed scrutiny and check. At this stage, the Government servant concerned should be particularly asked to explain as to how he got the disproportionate, or Excessive assets i.e., those which cannot be explained by the Likely Savings. If he cannot give a satisfactory explanation he would obviously be liable for a charge of possessing Assets disproportionate to his known source of income.”

The contents of this extract are very important and must never be lost sight of by the Investigating Officer.

22. The statement Nos. I to IX must invariably be used in every case of disproportionate assets. When open enquiries are being conducted Statement Nos. I to VI should be given to the suspect officer for being filled in. In case of secret enquiries the Investigating Officer has to collect information himself on the lines of Statement Nos. I to VI to the extent he possibly can under the limitations of a secret enquiry. Statement Nos. VII & VIII are to be prepared by the Investigating Officer himself. Statement No. IX should be prepared only after all the remaining Statement have been fully prepared and verified. The purpose of Statement Nos. II, IV and VI is mainly to help the Investigating Officer in verification. It must be repeated that Statement to be prepared by the suspect officer should not be taken for granted. The Investigating Officer must satisfy himself regarding the correctness the Enquiry. In case some additional assets which have not been disclosed are discovered, a specific list therEnquiry Officerf must be prepared on the lines of the existing statement. This additional information must also be incorporated in Statement No. IX.

23. The Final Reports on cases relating to disproportionate assets should be sufficiently detailed and they must always be accompanied by copies of Statement No. I to IX. This will enable the officers in the Headquarters to exercise proper check and supervision over these cases. If necessary they may be able to issue suitable instruction to Branches for further improving the cases.

24. While investigating cases of disproportionate assets the Investigating Officer should also find out whether under the Central Civil Services (Conduct) Rule in force current or applicable during the material time any contravention had been made by the official concerned. Specific cases of misconduct should be brought out in the course of enquiries.

25. Cases of disproportionate assets generally consume a lot of time and labour, which should neither be grudged nor spared. Quick and successful results can, however, be achieved only if the enquiries are conducted, speedily and

methodically. Otherwise there is a risk of valuable evidence being destroyed or tampered with. Various steps indicated in the foregoing paras should be taken simultaneously by the Enquiry Officer. If evidence has to be collected at place beyond the local limits of the Investigating Officer's jurisdiction, the Branches concerned should be requested at the very outset to conduct part enquiries, for which the detailed terms of reference should be furnished to them. In exceptional cases where the Superintendent of Police feels that the Investigating Officer should himself conduct all the enquiries they may be done after obtaining his DIG's order in accordance with the standing instructions on the subject. It may not be out of place to mention that the working for disproportionate assets is equally a matter relating to accounts and specialised assistance on this subject from the Technical Division (Accounts) should, therefore, be freely sought. This will definitely improve the quality of work. Lastly it must be admitted that the success of a case will largely depend upon the alertness and observation, integrity and industry, imagination and intuition, perseverance and tenacity displayed by an Investigating Officer.

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No. 4/22/78-Vig (I)

From

Shri L.D. Kataria, I.A.S.,  
The Commissioner & Secretary to Govt. Haryana,  
Vigilance Department.

To

- (1) All Heads of Departments.
- (2) The Commissioners of Ambala and Hisar Divisions,  
All Deputy Commissioners in Haryana and Sub-Divisional  
Officers (Civil) in Haryana.
- (3) Registrar, Punjab and Haryana High Court and all the District  
and Session Judges, in Haryana.

Dated Chandigarh, the 14th February, 1980

**Subject :- Reorganisation of the Vigilance Machinery.**

Sir,

I am directed to invite your attention to the Haryana Government letter No. 2682-V(I)-67/10801, dated the 17th June, 1967 in which the organisation of the Vigilance Machinery in the State was defined.

2. The matter has been under consideration of the Government for some time past and it has been decided to redemarcate the jurisdiction and functions etc., of this machinery as per Annexure enclosed. Further it has also been decided that henceforth :-

- (i) When the Vigilance Department starts investigation or initiates an enquiry against a Government Employee on the basis of complaint received by it direct, it will inform the Secretary of the Department concerned of this fact.
- (ii) The Vigilance Department will forward its report in respect of every complaint, whether received direct or through the department concerned, whether received direct or through the department concerned, to the said department indicating therein the proposed action to be taken to enable the department to proceed further in the matter according to the rules but it will be within the discretion of the Appointing Authority to take final decision as to the nature of the Departmental enquiry to be conducted against the delinquent. Final decision taken by the department shall be intimated to the Vigilance Department.
- (iii) As a result of investigation, if it is found that criminal misconduct is involved in the case, the Vigilance Department may institute criminal proceedings at its own level.

Instrucitons dated 17th June, 1967 may be considered to have been modified to this extent.

Yours faithfully,  
M. ISA DASS  
Joint Secretary, Vigilance,  
*for* Commissioner & Secretary to Government, Haryana,  
Vigilance Department.

No. 4/22/78-1 Vig. (I) dated, Chandigarh, the 14th Feb. 1980.

A copy with a copy of its enclosures is forwarded to :-

- (1) Financial Commissioner, Revenue and Financial Commissioner and Addl. Chief Secretary to Government, Haryana.
- (2) All Administrative Secretaries to Government, Haryana, for information and necessary action.

M. ISA DASS  
Joint Secretary, Vigilance,  
*for* Commissioner & Secretary to Government, Haryana,  
Vigilance Department.

A copy with a copy of its enclosures is forwarded to Secretaries/Private Secretaries to the Chief Minister/Ministers/Deputy Ministers/Chief Parliamentary Ministers/Ministers of State/Deputy Ministers/Chief Parliamentary Secretary and Parliamentary Secretary.

M. ISA DASS  
Joint Secretary, Vigilance,  
*for* Commissioner & Secretary to Government, Haryana,  
Vigilance Department.

To

The Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State/Deputy Ministers/Chief Parliamentary Secretary and Parliamentary Secretary.

U.O. No. 4/22/78-1 Vig. (I) dated, Chandigarh, the 14th Feb. 1980.

## ANNEXURE

The Vigilance and anti-corruption work will be carried out in the Vigilance Department in accordance with the following instructions :-

### **Jurisdiction**

The Vigilance Department shall have the Jurisdiction to -

- (i) lay down overall Policy in matters relating to vigilance and anti-corruption work.
- (ii) investigate and inquire into the complaints and information setting forth allegations of corruption against any Government servant or public servant when received in the Vigilance Department. It may either entrust such complaints to the State Vigilance Bureau ; for investigation or may require the Department concerned to inquire and take further necessary action;
- (iii) take cognizance of action and investigate complaints of corruption and the like against employees of non-departmental public sector undertakings;
- (iv) the responsibility for inquiry in complaints against non-gazetted Government servants shall primarily be of the Heads of Departments/punishing authorities but if in any case both gazetted and non-gazetted Government servants are involved the same may be inquired into by the Vigilance Department through its own agency. This, however, will not debar the Vigilance Department from undertaking investigation inquiry into such complaints against non-gazetted staff;
- (v) undertake any inquiry/investigation into any transaction in which a Government servant/public servant or non-official is suspected of having acted in a corrupt or negligent manner causing loss to Government revenue or misuse of public funds;
- (vi) inquiry into any other complaints relating to public servants which in the circumstances of a case, it may deem it ;
- (vii) recommend black-listing of any firm having dealings with the Government which may come to its adverse notice during the course of any inquiry/investigation;

*Note :-* The ministers, Ministers of State, Deputy Ministers, the Speaker and the Deputy Speaker of the Haryana Vidhan Sabha shall not be within the purview of the Vigilance Department.

### **II Functions**

- (a) The functions of the Vigilance Department will generally be -
  - (i) to collect data regarding the source and extent of corruption in various departments and to suggest remedial measures to eradicate it ;
  - (ii) to bring about general liaison and coordination over the vigilance and anti-corruption work in various departments and undertakings ;

- (iii) to prescribe and call for returns, statements and reports from the various departments of the State Government/Undertakings ;
  - (iv) to prosecute the delinquents under the relevant law and for this purpose may require the State Vigilance Bureau to register a regular case and to investigate it ;
  - (v) to get all complaints of corruption investigated through the State Vigilance Bureau or any other departmental agency ;
  - (vi) to suggest changes in the rules and procedure as applicable to various departments of the State Government with a view to plugging sources of corruption;
  - (vii) to pursue where necessary such enquiry/investigation report which may be sent to the department concerned for taking final action;
  - (viii) to reward suitably the persons giving information about the leakage of Government revenue and loss of public funds caused due to the negligence or corruption on the part of the public servant ;
  - (ix) to issue clearance certificate towards pension to the gazetted officers retiring from Government service ;
  - (x) to impress upon the department concerned the need for the expeditious disposal of pending cases in which Government servants are under suspension and to call for reports/returns in this respect from them;
- (b) The Vigilance Department shall also perform such other functions in the interest of Vigilance work as may be necessary.
  - (c) The Vigilance Department shall take steps to prosecute persons filing false and frivolous complaints of corruption.
  - (d) The Vigilance Department shall push forth the Vigilance work but shall also ensure that the morale and discipline in public servants is not impaired.

### **III. Procedure in the Vigilance Department**

- (a) The complaints and information received in the Vigilance Department shall be thoroughly scrutinized and examined. Anonymous/psuedonymous complaints shall normally be rejected and destroyed. The complaints shall be required normally to furnish affidavits in support of their allegations of corruption. However, Vigilance Department shall have no overriding discretion to initiate investigation/inquiry into the anonymous/psuedonymous and such complaints where specific and verifiable data may be found to be available.
- (b) In the case of Government servants, the Vigilance Department may before entrusting the investigation to the State Vigilance Bureau, call for broad. practical executive assessment from the department concerned within a specified period, or any require

the department concerned to hold preliminary inquiry and indicate the results thereof. Thereafter it will decide whether further probe by the Vigilance Department would be necessary.

When the Vigilance Department initiates an inquiry against a Government employee on the basis of a complaint, the Administrative Department concerned shall be informed of this fact.

- (c) The State Vigilance Bureau after investigations, shall submit the reports to the Vigilance Department.
- (d) on receipt of an investigation report, it shall be scrutinized by the Vigilance Department and forwarded to the Administrative Department for further action in accordance with the decision taken by the Vigilance Department.
- (e) In departmental inquiries against Grade A & B Officers under rule 7 of the Punjab Civil Services (Punishment & Appeal) Rules or any other rules applicable concerned shall normally appoint the Inquiry Officer of the Vigilance Department as such under intimation to the Vigilance Department.
- (f) The Inquiry Officer shall submit his inquiry report to the Administrative Department by whom the inquiry was entrusted to him.
- (g) In the cases where inquiries have been undertaken at the instance of a Minister the same, when completed, shall be submitted to the Minister Incharge (Vigilance Department) who may informally consult the Minister concerned before passing final orders.

#### **IV Maintenance of Secrecy**

Strict secrecy shall be maintained at all levels with regard to the cases which are processed in the Vigilance Department. No leakage should take place while investigation is in progress. This is essential in order to avoid unnecessary harassment of those who may ultimately be proved innocent and to maintain morale and discipline. The old contention under which the papers of the Vigilance Department could not be requisitioned by other Departments shall continue to be enforced strictly.

#### **V. Departmental Vigilance Officers**

Anti-corruption work is the premier responsibility of Heads of Departments/Officers and should form an integral part of their day to day duties. To achieve this, every Directorate, Department shall nominate a Chief Vigilance Officer for the entire department who will have under him an appropriate number of Vigilance Officers, wherever necessary. Normally, wherever administrative officers are in position, they will be made the Chief Vigilance Officers. In other cases, number two in the departmental hierarchy may be given this position. The officers so nominated, should be of a high caliber with irrefutable reputation for integrity. The Vigilance work will be an important additional assignment for them and they shall discharge their functions under the general supervision of heads of departments. Their appointment shall, however, be subject to approval of the Government in the Vigilance Department. Their functions will be as follows :-

- (a) To examine all aspects of the work with a view to locating the points where opportunity for corruption is likely to arise ; for

organizing regular and surprise inspections and devising other ways and means for minimizing the scope of corruption.

- (b) To initiate prompt action and pursue it with vigour and speed when there appears to be reasonable grounds for suspicion of corruption and malpractices against individual officers.
- (c) To examine and review departmental rules and procedures and suggest measures to improve and tighten them so as to plug the loop holes for corruption.
- (d) To ensure that all complaints relating to corruption are looked into promptly.
- (e) To ensure compliance with the Code of Conduct prescribed for its officers.
- (f) To initiate administrative action, as under, in case where material is considered to be sufficient to lead to a moral conviction about lack of integrity in a particular Government servant :-
  - (i) Transfer to a post of lesser responsibility.
  - (ii) Reversion to a substantive ranks.
  - (iii) Compulsory retirement.
  - (iv) Termination of service in case of purely temporary hands.
  - (v) Proper scrutiny of property statements.
- (g) To ensure cooperation with the vigilance department or with any other agency dealing with corruption cases, specially in regard to :-
  - (i) Making relevant records available without any avoidable delay.
  - (ii) Giving technical assistance wherever necessary.
  - (iii) Making available departmental witnesses required during investigation and departmental proceedings.
  - (iv) Service of documents e.g. charge-sheets, statements of allegations or show cause notices, etc.
- (h) To ensure that departmental inquiry and disciplinary proceedings are completed expeditiously.
  - (i) To expeditiously finalise cases of suspended Government servants.
  - (ii) To ensure that punishment are awarded adequately. Government may constitute investigation staff to assist the Chief Vigilance Officers in selected departments.

## **VI Supervision over Departmental Vigilance Officers**

The control over the working and conduct of the Vigilance Officers shall be exclusively of the Secretary to Government or of the Head of the Department concerned but the Secretary to Government in the Vigilance Department shall be competent to record his assessment on the work of any vigilance officer and forward the same to the controlling authority concerned in cases when in his opinion the good work done by the officer or not done should be brought to the notice of Government.

## **VII. State Vigilance Bureau**

- (a) The Director, State Vigilance Bureau and his subordinate staff including District Attorney, shall be under the administrative control of the Vigilance Department.
- (b) Technical Adviser-Government may appoint technical advisers e.g. and Executive Engineer and one Deputy Excise and Taxation Commissioner, to give technical assistance to the State Vigilance Bureau investigating into complaints relating to technical departments. They shall be under the administrative control of the Vigilance Department.

Dated, Chandigarh  
The 14th Feb., 1980

L.D. KATARIA  
Commissioner & Secretary to Govt., Haryana,  
Vigilance Department.

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No. 4/22/78-Vig (1)

From

The Chief Secretary to Govt.,  
Haryana, Vigilance Department.

To

- (1) All Heads of Departments.
- (2) The Commissioners of Ambala, Hisar, Rohtak and Gurgaon Divisions, All Deputy Commissioners in Haryana.
- (3) All Heads of Boards and Corporations.

Dated Chandigarh, the 19th April, 1990.

*Subject :-*     **Reorganisation of the Vigilance Machinery.**

Sir,

I am directed to refer to Haryana Govt. letter No. 4/22/78-1 Vig. (I), dated the 14th Feb., 1980, on the subject noted above and to say that it has been observed that departments do not attach adequate importance to vigilance enquiries or serious complaints forwarded to them with the recommendation of the Vigilance Department. Moreover, final decision taken by the Department is seldom intimate to the Vigilance Department, with the result that Vigilance Department is not aware of the action taken by the Department against the delinquents. Government consider it necessary that Vigilance Department should monitor more effectively and regularly anti-corruption work carried out by the Government.

2. To ensure, therefore, that appropriate action is taken promptly by the competent authority on vigilance enquiries or serious complaints which are forwarded to them by the Vigilance Department, it has been decided by the Government that, as a matter of follow up, all Administrative Departments should furnish monthly reports in respect of Departments under their control to Vigilance Department on the enclosed proforma. The first such report on the enclosed proforma, should reach the Government by 15.05.1990 and subsequently by the 15th of every month positively.

3. Kindly acknowledge receipt.

Yours faithfully,

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

Endst. No. 4/22/78-1 Vig. (I) Dated, Chandigarh, the 19th April, 1990

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh.

Sd/-

Under Secretary Vigilance,  
*for* Chief Secretary to Govt., Haryana,  
Vigilance Department.

A copy each is forwarded for information and necessary action to :-

- (1) All Financial Commissioners/Commissioners and Secretaries to Govt. Haryana.
- (2) All Administrative Secretaries to Government, Haryana.

Sd/-

Under Secretary Vigilance,  
*for* Chief Secretary to Govt., Haryana,  
Vigilance Department.

All Financial Commissioners, Commissioners and Secretaries to Govt. Haryana.

All Administrative Secretaries to Govt., Haryana.

U.O. No. 4/22/78-1 Vig. (1)

Dated Chandigarh, 19th April, 1990

**Most immediate  
Date Bound**

No. 4/1/92-5V(1)

From

The Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

- (1) All Heads of Departments.
  - (2) The Commissions of Ambala, Hisar, Rohtak and Gurgaon Divisions, All Deputy Commissioners in Haryana.
  - (3) All Heads of Boards and Corporations.
- Dated Chandigarh, 3 rd May, 2001.

Subject:- Reorganisation of the Vigilance Machinery- Appointments and functions of the Departmental Chief Vigilance Officers/ Vigilance Officers.

Sir,

I am directed to refer to the instructions contained in the Vigilance Department letter No. 4/22/78-1V(1). dated the 14th February, 1980 and the letters of even No. dated 22nd August, 1986 and 15th March, 1990, on the subject mentioned above which inter-alia lays down the criteria for the appointment of Departmental Chief Vigilance Officers / Vigilance Officers. In the letter dated 15-3-1990, it was envisaged that all the Departments/ Boards/ Corporations may send a panel of three names of suitable officers to this department for making selection of the Chief Vigilance Officers / Vigilance Officers. The matter was reexamined in the Vigilance Department and vide circular letter No. 4/1/92-1v(I), dated the 13th January, 1992, it was decided that nominations of Chief Vigilance Officers / Vigilance Officers of the Departments/ Boards/ Corporations will be made in future by the Administrative Secretary of the department concerned and there is no need to send a panel of names to the Vigilance department for this purpose. You were also requested to send the names of the Chief Vigilance Officers / Vigilance Officers so nominated to the Vigilance department. But the information regarding nomination of the names of the Chief Vigilance Officers / Vigilance Officers was received from a few Departments/ Boards/ Corporations at that time. Most of the officers from amongst them have since retired/transferred. But thereafter, the information regarding the names of Chief Vigilance Officers / Vigilance Officers nominated from time to time is not being sent to the Vigilance department. I am therefore, desired to request you kindly to send the names of the Chief Vigilance Officers / Vigilance Officers of your Department so nominated, to the Vigilance Department within two days positively.

Sd/-

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,

## Vigilance Department.

Endst. No. 4/1/92-5v (1)

Dated 3rd May ,2001

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

A copy is forwarded for necessary action to:-

(1) All the financial commissioners/ commissioners and Secretaries of Government Haryana.

(2) All the Administrative Secretaries to Government Haryana.

2. They are requested to direct all the Departments under their control to send the requisite information to this Department within two day positively.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

- (1) All the financial commissioners/ commissioners and Secretaries of Government Haryana.  
(2) All the Administrative Secretaries to Government Haryana.

U.O. No. 4/1/92-5v (I)

Dated 3 rd May 2001,

No. 4/4/03-1 Vig (1)

From

The Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

- 1 All Heads of Departments.
- 2 The Commissions of Ambala, Hisar, Rohtak and Gurgaon Divisions, Deputy Commissioners and S.D.O (Civil) in the state.

Dated Chandigarh, the 19th June, 2003.

Subject:- Requisition of services of officers of specialised nature for  
Vigilance enquiries.

Sir,

I am directed to invite your attention to the State Government instructions issued vide circular letter No. 4/2/87-1 Vig. (1), dated February 1, 1990 on the above noted subject and to say that Chief Minister's Flying Squad is entrusted with the investigations of complaints relating to corruption and technical matters. For proper investigation of such cases, sometimes services of specialized nature become unavoidable. As per decision of the State Government, Services of officers who have expertise and knowledge in technical matters should be made available to the Chief Minister's Flying Squad, whenever needed, for specific purposes and for specified periods of time. The association of such officers with the conduct of inquiry will go a long way in speedy disposal of investigation of complaints entrusted to Chief Minister's Flying Squad. Therefore, I am to request you that whenever services of the said officers are required, the same may please be made available to them.

These instructions may please be brought to the notice of all concerned officers under your control for compliance.

Your's faithfully,

(Y.K.Sharma)

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

A copy each is forwarded to all the Financial Commissioners and Principal Secretaries and Administrative Secretaries to Government Haryana, for information and necessary action.

Sd/-

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

All the Financial Commissioners and Principal Secretaries and Administrative Secretaries to Government, Haryana,

U.O. No. 4/4/03-1 vig (I)  
No. 4/4/03-1 Vig (1)

Dated Chandigarh 19th June, 2003  
Dated Chandigarh, 19th June, 2003

A copy each is forwarded to:-

All Chairman / Chief Administrator/ Managing  
Directors of Corporations/Boards in the State for  
similar action in the matter.

Sd/-

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

No. 4/4/03 Vig (1) Dated Chandigarh, the 19th June, 2003.

A copy each is forwarded to the Additional Director General of Police, Chief Minister's Flying Squad (Haryana), Chandigarh, with reference to his memo No. 751/PA/ADGP dated 27-5-03 for information and necessary action.

Sd/-

Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

Copy of Memo No. 6747-V(I)-61/2056, dated the 9th February, 1962, from Shri Hardev Singh Chhina, IAS, Secretary to Government, Punjab Vigilance Department to the Deputy Inspector General of Police C.I.D. (Vigilance) Punjab, Chandigarh.

**Subject:- Supply of copies of documents to the delinquent officials in departmental enquiries.**

Reference your memo No. 14130-Vig/61(A) 60 dated the 15th November, 1960 on the subject noted above.

2. In continuation of Punjab Government Memo No. 8273 V (1) 61/13583, dated the 17th November, 1961, it is stated that the right of access to official records to which a Government servant is entitled is not unlimited and it is open to the Government to deny any such access if in its opinion such records are not relevant to the case, or it is not desirable in the public interest to allow such access. The power to refuse access to official records should however be very sparingly exercised. The question of relevancy should be looked at from the point of view of the defence and if there is any possible limit of defence to which the document may, in some way be relevant, though the relevancy is not clear to the disciplinary authority at the time when the request is made, the request for access should not be rejected. The power to deny access on the ground of public interest should be exercised only when there are reasonable and sufficient grounds to believe that the public interest will clearly suffer. Cases of the latter type are likely to be very few and normally occasion for refusal of access on the ground that is not in public interest, should not arise if the document is intended to be used in proof of the charge and if it is proposed to produce the document before the Inquiry Officer, if any enquiry comes to be held. In any case where it is decided to refuse access, reasons for the refusal should be cogent and substantial and should invariably be recorded in writing.

3. Government servants involved in departmental enquiries often ask for access to and/or supply of copies of:-

- a) Documents to which reference has been made in the statement of allegations;
- b) Documents and records not so far referred to in the statement of allegations but which the Government servant concerned considers are relevant for purpose of his defence;
- c) Statement of willingness recorded on the course of;
  - (a) a preliminary enquiry conducted by the departments.
  - or
  - (b) investigation made by the police.
- d) reports submitted to Government or other competent authority including the disciplinary authority, by an officer appointed to hold preliminary inquiry to ascertain facts:-
- e) reports submitted to Government or other authority including the disciplinary authority by the police and investigation.

4. While there is no doubt that the Government servant should be given access to various official records like documents to which reference has been made in the statement of allegations and documents and records which the Government servant concerned considers are relevant for the purpose of his defence though the relevancy is not clear

to the disciplinary authority, doubts, very often arises regarding the documents mentioned at items (d) and(e) in para 3 above. Reports made after the preliminary enquiry or the report made by the Police after investigation, other than those referred to in clause (a) of sub-section (I) of section 173 of code of Criminal Procedure, 1898, are usually confidential and intended only to satisfy the competent authority whether further action in the nature of regular departmental enquiry or any other action is called for. These reports are not usually made use of or considered in the inquiry, ordinarily even a reference to what is contained in these reports is not made in the statement of allegations. It is not necessary to give access to the Government servants to these reports. It is necessary to strictly avoid any reference to such reports, in the statement of allegations as, if any, reference is made it would not be possible to deny access to these reports and giving of such access to those reports will be in public interest for the reasons stated above.

5. Government servants concerned need not be given access to the statement of all witnesses examined in the preliminary enquiry or investigation made by the Police and access be given to the statements of only those witnesses who are proposed to be examined in proof of the charges or the facts stated in the statement of allegations. In some cases, the Government servant may require copies of the statements of some witnesses in which no reliance is proposed to be placed by the disciplinary authority on the ground that he proposes to examine such witnesses on his side and that he required the previous statements to corroborate the testimony of such witnesses before the enquiring authority. Previous statements made by a person examined as witness is not admissible for the purpose of corroboration and access to such statements can safely be denied. However, the law recognizes that if the former statement was made at or about the time when the fact took place and the person is called to give evidence about such fact in any proceedings, the previous statement can be used for purposes of corroboration. In such cases, it will be necessary to give access to the previous statements.

6. The further point is the stage at which the Government servants should be permitted to have access to the statements of witnesses proposed to be relied upon in proof of the charges or the facts stated in the statement of allegations. Copies of the statement of witnesses can be used only for the purpose of cross-examination and therefore, the demand for copies is to be acceded to when witnesses are called for examination at the oral enquiry. If such a request is not made, the interference would be that the copies were not needed for that purpose. The copies can not be used at any subsequent stage as those statements are not taken into consideration by the disciplinary authority also. Copies should be made available within a reasonable time before the witnesses are examined. It would be strictly legal to refuse access to the copies of the statements prior to the evidence stage in the departmental enquiry.

7. As the Punjab Civil Services (Punishment and Appeals) Rules 1952 do not provide for supply of copies of various documents it is not ordinarily necessary to supply copies thereof. It would be sufficient if the Government servants is given access to those documents. Government servants involved in departmental proceedings when permitted to have access to official records some times seek permission to take photostatic copies thereof such permissions should not normally be given especially if the officer proposes to make the photostatic copies through a private

photographers as thereby third parties would be allowed to have access to official records which is not desirable. If however, the documents which photostate copies are sought for, so vitally relevant to the case (e.g. where the proof of the charges depends upon the proof of the handwriting or a document the authenticity of which is disputed) the Government should itself make photostate copies and supply the same to the Government servants. In case which are not of this or similar type (example given above is only illustrative and not exhaustive) it would be sufficient if the Govt. servant is permitted to inspect the official records and take extracts therefrom.

These instructions may please be brought to the notice of all concerned.

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A copy of letter No. 3298-I Vig. (2)- 72/29575 dated 18/24 October, 1972 from the Secretary to Government, Haryana, Vigilance Deptt. to all Heads of Departments, Deputy Commissioners, Commissioners, Ambala Division, Registrar, Punjab and Haryana High Court and Distt. and Session Judges, Haryana.

Subject:- Supply of copies of documents to the delinquent officials in preliminary enquiries.

I am directed to enclose a copy of Punjab Government Memo No. 6747-V(1)61/2056 dated the 9th February, 1962 to the address of Deputy Inspector General, CID (Vigilance) Punjab along with a copy of extract taken from the Punjab Government letter No. 407-Vig (1) 62/6349 dated the 12th June, 1962, on the subject noted above and to say that the question of supply of copies of documents to the delinquent officials in the course of preliminary enquiries had been under the consideration of the Government, and it has been decided that in future lists of witnesses and documents on which the prosecution rely, should be supplied to the delinquent officials along with the statement of allegation and charges. It has further been decided that delinquent officials should be shown relevant record in question, on basis of which statement of allegations against them are prepared.

2. In some cases delinquent public servant may ask for copies of the statements of persons who were examined during preliminary enquiries or investigation but prosecution does not propose to produce them as witnesses in formal inquiry, on the grounds that he wishes to examine them as defence witnesses. Statements made by persons during the preliminary investigations are not permissible for the purpose of corroboration and it has, therefore, been decided that access to such statements may be denied.

3. These instructions may be brought to the notices of all concerned for strict compliance.

Kindly acknowledge the receipt of this communication.

Copy of letter No. 3669-VIG (I)-76/12216 dated 9th May, 1987 from Deputy Secretary to Government, Haryana, Vig Department to all Heads of Departments, Commissioner Ambala and Hissar Divn. and all D.C's, S.D.O's (Civil), Registrar, Punjab and Haryana High Court, Financial Commissioner and all Administrative Secretaries.

Subject:- Supply of copies of documents to the delinquent officials in preliminary enquiries.

I am directed to enclose a copy of the Haryana Government Letter No. 3298-I Vig(2)29575 dated the 18/24 th October 1972 together with a copy of its enclosures and to say that the words "Preliminary enquiries" appearing in the subject and in line seven in that letter shall be read "Departmental Enquiries".

2. These instructions may be brought to the notice of all concerned for guidance and strict compliance.

fo" k; %& vf/kdkfj; ks@de]pkfj; ks ds fo: ) iatkc l ok; %n.M rFkk vihy½ fu; ekoyh 1952 ds v/khu foHkkxh; tkp ds fy; s vf/kdkjh dh fu; fDrA

D; k gfj; k.kk jkT; ds l Hkh iz kkl fud l fpo] mijkDr fo" k; ij ed; l fpo gfj; k.kk ds ifji = dD 25@1@79&6 th0 , l 0 ¼1¼ fnukad 30-4-79 dh vkj /; ku nus dk d"V djs \

- 2 l nfhkr ifji = ea l Hkh iz kkl dh; l fpoks l s vugksk fd; k x; k Fkk os vi us v/khu foHkkxks ea Js.kh ¼1½ o¼11½ ds jktif=r vf/kdkfj; ks ds fo: ) iatkc fl foy l ok, %n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds v/khu foHkkxh; tkp djus ds fy; s pkl h foHkkx ea fu; Dr tkp vf/kdkjh ¼vkbD, 0, l 0 ds dkMj dk½ pkl h o ml ds l kFk l ayXu veys dh l ok, s iklr djs ijUrq; g voykdu fd; k x; k gS fd bl l Ecu/k ea vups kka dh vugkyuk iwz : i l s ugha dh tk jgh gS vkj r=ø fu; eks ds vlrxr foHkkxh; tkp ds fy; s tkp vf/kdkjh pkl h dh l ok, s u iklr djds foHkkxh; vf/kdkfj; ks dks preference nh tk jgh gA foHkkxks ) kjk vi ukbz tkus okyh ; g izkkyh jkT; l jdkj dh fgnk; rks dh xEHkhj vogsyuk gA
- 3- bl flFkfr ds nf"Vxr mul s iHk vugksk fd; k tkrk gS fd muds v/khu foHkkxks ea iatkc fl foy l ok, %n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds v/khu vf/kdkfj; ks ¼Js.kh 1 o 2½ ds fo: ) foHkkxh; tkp ds fy; s iR; d voLFkk ea tkp vf/kdkjh pkl h rFkk ml ds l kFk fu; fDr veys dh l ok, s iklr dh tk; A
- 4- bl ds vfrjDr ; g Hkh ns[kus ea vk; k gS fd tkp vf/kdkjh pkl h dks r=s fu; eks ds vlrxr foHkkxh; tkp l kS rs l e; foHkkx mlgs ijk l Ecf/kr fjdkMZ miyC/k ugha djokrs ftl dkj.k tkp iwz djus ea vuko'; d l e; u"V gkus ds l kFk&l kFk ngh Hkh gsrh gA vr% ; g vugksk gS fd vi us v/khu foHkkxk/; {kks ds /; ku ea ; g =h yk nh tk; s vkj mlga funz k fn; s tk; a fd tkp l s l Ecf/kr iwz fjdkMZ tkp vf/kdkjh pkl h dks tkp l kS rs l e; gh miyC/k djok fn; k tk; A
- 5- l Hkh l Ecfu/kr i {kks ds /; ku ea ; g vups k di ; k dMh vugkyuk gsrq yk fn; s tk; A
- 6- di ; k bl i = dh i korh HkstA

gLrk@&  
l a Dr l fpo] pkl h  
dr% foRrk; Dr , oa l fpo]  
gfj; k.kk l jdkj] pkl h foHkkxA

l ok ea

l Hkh iz kkl dh; l fpo] gfj; k.kk l jdkjA

v'kk ]dekad 8@2@84&1 pks ¼1½

fnukad 26-3-1984

fo"k; %& Js kh&1 rFkk 2 ds jktif=r vf/kdkfj; ks ds fo: ) iatkc fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds rgr dk; bkg h djus grq foHkkxh; tka ds fy; s tka vf/kdkjh fu; Or djus dk eqkeykA

D; k l Hkh foRrk; Or rFkk vk; Or , oa l fpo] gfj; k.kk ljdkj di; k mi; Or fo"k; dh vkj /; ku naxs

2- eq[; l fpo] gfj; k.kk ljdkj ds va kk% dka d 25@1@79&6 th0 , l 0 1, fnuka d 30 vi sy]1979 )kjk tkjh fd; s x; s ifji= ea l Hkh iz kkl dh; foHkkxks l s ; g vug ks/k fd; k x; k Fkk fd Js kh A rFkkAA ds ftu vf/kdkfj; ks ds fo: ) fu; fer foHkkxh; tka djuk iLrkfor gk mu ds ckjs ea tka djus ds fy; s tka vf/kdkjh pks l h dks gh tka vf/kdkjh fu; Or fd; k tk; k dja bl h fo"k; ea pks l h foHkkx ds v'kk% dka d 74@5@78&4 pks ¼1½ fnuka d 7 vi sy]1983 )kjk tkjh fd; s x; s ifji= ea ; g voykdu fd; k x; k Fkk fd fu; e 7 ds rgr tks fu; fer foHkkxh; tka s tka vf/kdkjh pks l h dks l ks h tkrh g muds l kfk ik; % ey fjdkMZ ftl ds vk/kkj ij tka iwk dh tkuh gkrh g ugha Hkst k tkrk ftl ds dkj.k tka vf/kdkjh )kjk tka djuk l lko ugh gkrk rFkk dkQh i= 0; ogkj djus ij Hkh l Ecfu/kr fjdkMZ miyC/k u djok; s tkus ij os tka s fcuk tka fd; s gh okfil ykS/kuh iMrh gA bl ifji= ea l Hkh iz kkl dh; foHkkxks l s ; g vug ks/k fd; k x; k Fkk fd iatkc fl foy l ok, a ¼n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds v/khu fu; fer foHkkxh; tka s tka vf/kdkjh pks l h dks tka grq l ka rs l e; ml eqkeys l s l Ecfu/kr l kjk fjdkMZ mlgs Hkst fn; k tk; k djs rkfd tka djus ea vuko'; d foyEc u gkA pks l h foHkkx ds v'kk% dka d 8@2@84&1 pks ¼1¼ fnuka d 26 eka] 1984 )kjk tkjh fd; s x; s ifji= ea eq[; l fpo] gfj; k.kk ljdkj ds ifji= fnuka d 30 vi sy]1979 rFkk pks l h foHkkx ds ifji= fnuka d 7 vi sy] 1983 )kjk tkjh dh xbz fgnk; rks dks i q% nkgjk; k x; k FkkA bl ds cko tka tka vf/kdkjh pks l h )kjk ljdkj ds /; ku ea yk; k x; k gS fd dbz vf/kdkfj; ks ds fo: ) tka s bl dkj.k yfEcr iMh gpz gS fd mu tka s l s l Ecfu/kr iwk fjdkMZ mlgs ugha Hkst k x; k gS ; | fi fjdkMZ Hkst us ds fy; s mu )kjk vug ks/k fd; k tk pka gA vr% l Hkh iz kkl dh; foHkkxks l s i q% vug ks/k fd; k tkrk gS fd os fdl h Hkh Js khA rFkk AA ds jktif=r vf/kdkjh ds fo: ) iatkc fl foy l ok iatkc fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds v/khu fu; fer foHkkxh; tka] tka vf/kdkjh dks l ks rs l e; ml eqkeys l s l Ecfu/kr iwk fjdkMZ miyC/k djok fn; k dja mu l s ; g Hkh vug ks/k fd; k tkrk gS fd bl izdkj dh foHkkxh; tka s dks 'kh/kz l Eilu djus ds mnns'; l s fdl h ftEokj vf/kdkjh@ depkj h dks tka ds nks ku presenting officer dh l gk; rk djus grw depute dj fn; k tk; k dja

3- l Hkh iz kkl dh; foHkkxks l s i q% vug ks/k fd; k tkrk gS fd ljdkj dh fgnk; rks vuq kj muds foHkkx l s l Ecfu/kr Js khA rFkkAA ds jktif=r vf/kdkfj; ks ds fo: ) fu; e 7 ds v/khu tka s fdl h vu; foHkkxh; tka vf/kdkjh dks u l ks dj tka vf/kdkjh pks l h dks gh l ks h tk; k dja , s h tka s tka vf/kdkjh pks l h dks inuke l s Hksth tk; k djs u fd uke l s D; k fda uke l s l ks h xbz tka dks tka vf/kdkjh pks l h ds LFkkukUrj.k gks tkus fd lLFkr ea pkyw ugha j [kk tk l drk vkj ml s iwk djus ea vuko'; d foyEc gks tkrk gA iR; d tka ea xokgs ds Vh0, 0@Mh0, 0 vkfn ij [kpl djus grq l e qpr jkf'k Hkh tka vf/kdkjh pks l h dks miyC/k dj nh tk; k dja di; k bl i= dh i korh HkstA

gLrk%&  
voj l fpo] pks l h]  
dir% vk; Or , oa l fpo]  
gfj; k.kk ljdkj] pks l h foHkkxA

l ok ea

l Hkh foRrk; Or rFkk vk; Or , oa l fpo] gfj; k.kk ljdkjA

v'kk0 dækd 8@2@86&1 pk0 ¼1½

fnukd 17 fl rEcj]1986-

fo"k; %& Js kh&1 rFkk 2 ds jktif=r vf/kdkfj; ks ds fo: ) i atkc fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds rgr tkp vf/kdkjh dks l ks h xbz tkpks l æf/kr iwkZ fjdkMZ miyC/k djokus dk eqkeykA

D; k l Hkh foRrk; Ør rFkk vk; Ør , oa l fpo] gfj; k.kk di; k mi; Ør fo"k; ij pksdl h foHkkx ds v'kk0 dækd 8@2@86&1 pk0 ¼1½ fnukd 17 fl rEcj]1986 dh vksj /; ku naxs

3- l æf/kr iwkZ fjdkMZ miyC/k ugh djok; k tk jgk gA ; gh ugh dbZ foHkkxks ) kjk rks vi f{kr fjdkMZ mlgs ckj ckj Lej.k djokus cktw Hkh miyC/k ugha djok; k tk jgk gS ftl l s tkp vf/kdkjh ) kjk mlgs l ks h xbz tkpks dks l Eilu djus ea foyEc gks jgk gA vr% mu l s iu% vugks/k fd; k tkrk gS fd os Hkfo"; ea fdl h Hkh Js khA rFkkAA ds jktif=r vf/kdkjh ds fo: ) gfj; k.kk fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1987 ds fu; e 7 ds rgr fu; fer foHkkxh; tkp] tkp vf/kdkjh dks l ks rs le; ml tkp l s l æf/kr iwkZ fjdkMZ mlgs vo'; miyC/k djok fn; k djsA mu l s ; g Hkh vugks/k fd; k tkrk gS fd tkp vf/kdkjh pksdl h dks vc rd l ks h xbz ftu tkpks ea iwkZ fjdkMZ miyC/k ugha djok; k x; k gS ml s Hkh vfoyc miyC/k djok fn; k tk; A di; k bl i= dh i korh HkstA

gLrk%&  
voj l fpo] pksdl h]  
dir% vk; Ør , oa l fpo] gfj; k.kk l jdkj]  
pksdl h foHkkxA

l ok ea

l Hkh foRrk; Ør rFkk vk; Ør , oa l fpo] gfj; k.kk l jdkjA

v'kk0 dækd 8@2@86&1 pk%A

fnukd] p.Mhx< 3&4&89

i'0 dækd 8@2@86&1 pk%A

, d i fr tkp vf/kdkjh pksdl h foHkkx gfj; k.kk dks muds i'0 dækd vkbD vk0 fot¼, p¼&88@665]fnukd 30 fnl Ecj] 1988 ds l nHkZ ea l ipukFkZ Hksth tkrh gA

gLrk%&  
voj l fpo] pksdl h]  
dir% vk; Ør , oa l fpo] gfj; k.kk l jdkj]  
pksdl h foHkkxA

f

fo"K; %& Js kh&1 rFkk 2 ds jktif=r vf/kdkfj; ks ds fo: ) gfj; k.kk fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1987 ds fu; e 7 ds rgr tkp vf/kdkjh dks l ks h xbz tkpks es tkp l c/kh emy fjdkMZ mi yC/k djokus dk eqkeykA

D; k l Hkh foRrk; Or rFkk vk; Or , oa l fpo] gfj; k.kk di; k mi; Or fo"K; ij pksdl h foHkkx ds v'kk0 dekad 74@5@78&4 pkS ¼A½ fnukad 7-4-83 rFkk v'kk0 dekad 8@2@86&1 pk% ¼A½ fnukad 17 fl rEcj]1986 o l e dekad fnukad 3-4-89 ) kjk tkjh dh xbz fgnk; rks dh vkj /; ku naxs

2- l nHkkZ/khu emy ifji= ) kjk l Hkh iz kkl dh; foHkkxks l s vugksk fd; k x; k Fkk fd os fdl h Hkh Js khA rFkkAA ds jktif=r vf/kdkjh ds fo: ) iatkc fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1952 ds fu; e 7 ds v/khu fu; fer foHkkxh; tkp] tkp v/kdkjh pksdl h dks l ks rs l e; ekeys ea l Ec/kh iwKZ fjdkMZ HkstK dja

3- tkp vf/kdkjh pksdl h ) kjk l jdkj ds /; ku ea yk; k x; k gS fd dbZ foHkkxks ) kjk vc Hkh foHkkxh; tkpks mlgs l ks rs l e; mu tkpks l s l Ec/fkr iwKZ fjdkMZ mi yC/k ugh djok; k tk jgk gA ; gh ugh dbZ foHkkxks ) kjk rks vi s{kr fjdkMZ mlgs ckj&2 Lej.k djokus ds cktwn Hkh mi yC/k ugh djok; k tk jgk gS ftl l s tkp vf/kdkjh ) kjk mlgs l ks h xbz tkpks dks l Eilu djus ea foyEc gks jgk gA

4- vr% mul s i q% vugksk fd; k tkrk gS fd Hkfo"; ea fdl h Hkh Js kh&1 rFkk 2 ds jktif=r vf/kdkfj; ks ds fo: ) gfj; k.kk fl foy l ok, a n.M rFkk vihy½ fu; ekoyh 1987 ds fu; e 7 ds rgr fu; fer foHkkxh; tkp] tkp vf/kdkjh dks l ks rs l e; ml tkp l s l Ec/fu/kr iwKZ fjdkMZ mlgs vo'; mi yC/k djok fn; k dja mu l s ; g Hkh vugksk fd; k tkrk gS fd tkp vf/kdkjh pksdl h dks vc rd l ks h xbz ftu tkpks ea iwKZ fjdkMZ mi yC/k ugh djok; k x; k gS ml s Hkh vfoyc mi yC/k djok fn; k tk; s rkd tkp iwKZ djus ea vuko'; d foyEc u gkA ; fn tkp vf/kdkjh ) kjk dkbZ fjdkMZ ekaxk tk, rks og Hkh mlgs 15 fnu ds vlnj vo'; mi yC/k djok fn; k dja rFkk bu fgnk; rks dk n<rk l s ikyu fd; k tk; A di; k bl dh ikorh HkstA

gLrk%&  
voj l fpo] pksdl h]  
dir% eq[; l fpo] gfj; k.kk l jdkj]  
pksdl h foHkkxA

l ok ea  
l Hkh foRrk; Or rFkk vk; Or , oa l fpo]  
gfj; k.kk l jdkjA  
v'kk% dekad 8@2@86&1 pk% ¼1½  
i'0 dekad 8@2@86&1 pk% ¼1½  
fnukad 23-4-93  
fnukad 23-4-93

, d ifr tkp vf/kdkjh] pksdl h foHkkx] gfj; k.kk]p.Mhx< dks muds ukv/ fnukad 2-3-93 ds l nHkZ ea bl vugksk ds l kFk Hksth tkrh gS fd mu dks foHkkxks ) kjk l ks h xbz ftu tkpks ea iwKZ fjdkMZ foHkkxks ) kjk mi yC/k ugh djok; k tkrk gS mu tkpks dks okfi l djus ea l jdkj dks dkbZ vki fr ugh gA

gLrk%&  
voj l fpo] pksdl h]  
dir% eq[; l fpo] gfj; k.kk l jdkj]  
pksdl h foHkkxA

Øekd 9@17@96&1 pkD ¼1½

i ðkd

eq[; I fpo] gfj; k.kk I jdkj]  
pkðl h foHkkxA

I ok ea

- 1- gfj; k.kk jkT; ds I Hkh foHkkxk/; {k]vk; Ør vEcky] jkgrd]  
xMxkø rFkk fgl kj e.My ,oa gfj; k.kk jkT; ds I Hkh  
mi k; Ør] gfj; k.kk jkT; ds I Hkh mi e.My vf/kdkjh¼ukxfjd½
- 2- jftLVkj]i atkc rFkk gfj; k.kk mPp U; k; ky; rFkk I Hkh ftyk  
, oa I = U; k; k/kh' kA

fnukd 16 vDVicj] 1996

fo" k; %&

jkT; pkðl h C; i]ks ds vloošk.k vf/kdkfj; ks dks mu ) kjk dh tkus  
okyh tkpks ea i]ys[k mi yC/k djokus rFkk iwKz I gk; rk@I g; ks  
nus ckjA

egkn; ]

ep>s mi jkØr fo" k; ij ; g dgus rFkk fy[kus dk fun'k g'vk gS fd  
fun'kd] jkT; pkðl h C; i]kj gfj; k.kk ) kjk I jdkj ds /; ku ea yk; k x; k gS fd  
mu ) kjk I jdkjh vf/kdkfj; ks@ depkfj; ks ds fo: ) dh tkus okyh tkpks I s  
I EcflU/kr fjdkMZ ckj&ckj Lej.k djokus ij Hkh mi yC/k ugh djok; k tkrk gS  
ftl dkj.k I s jkT; pkðl h ds vloošk.k vf?kdkfj; ka dks tkpks dks iwKz djus ea  
vuko'; d dfBukbz dk I keuk djuk i Mk jgk gS ftl s I jdkj us cMh xEHkhjrk I s  
fy; k gS A vr% vki I s vu]k'k gS fd ftu tkpka ea jkT; pkðl h C; i]ks ds vloošk.k  
vf/kdkfj; ka }kj k foHkkxka I s fjdkMZ ekax tk; s og mlga 48 ?kUVs ds vlnj mi yC/k  
djok fn; k dja A bl ds vrfjDr vloošk.k vf/kdkfj; ka dks tkpka I s I EcflU/kr  
I puk@çys[kka dks mi yC?k djokus ea I Hkh foHkkx ije vxrk I s iwKz  
I gk; rk@I g; ks çnku dja A

2- bu fgnk; rka dks I Hkh vf/kdkfj; ka ds ?; ku ea vu]kyu gsrq yk fn; k  
tk, s rFkk bl dk n<rk I s ikyuk dh tk, A

di; k bl i = dh i korh Hksta A

Hkonh; ]

gLrk@&  
I a Ør I fpo pkðl h]  
d'r% eq[; I fpo] gfj; k.kk I jdkj]  
pkðl h foHkkx A

Øekad 4@1@2000&1 pkD (1)

ç'kd

foRrk; Ør , Ø I fpo] gfj; k.kk I jdkj] pk&dl h foHkkx A

I Øk ea

- 1- gfj; k.kk jkT; ds I Hkh foHkkxk?; {k} vk; Ør vEcky] jkgrd] xMlxkø rFkk fgl kj e.My , Ø gfj; k.kk jkT; ds I Hkh mik; Ør A
- 2- jftLVkj] iatkc rFkk gfj; k.kk mPp U; k; ky; rFkk ftyka ds I Hkh ftyk , Ø I =k U; k; k/h'k A

fnukad 24-4-2000

fo"k; % I jdkjh deþkjh@vf/dkj] }kj k vi us I s mPp vf/dkj] ds fo: } dh tkus okyh f'kdk; r vi us foHkkxk?; {k@ç'kkl dh; I fpo ds ek?; e I s djus ckjs A

egkn; ]

eps fun'k gqvk gS fd vki dk ?; ku mi jkØr fo"k; dh vkj fnykÅ vkj crkÅ fd I jdkj ds ?; ku ea vk; k gS fd cgr I s I jdkjh deþkjh vi us mPp vf/dkj; ka ds fo: } f'kdk; r vi us foHkkxk?; {k @ç'kkl dh; I fpo ds ek?; e uk Hksters gq I h/s gh foRrk; Ør , Ø I fpo] gfj; k.kk I jdkj pk&dl h foHkkx@funs kd] jkT; pk&dl h C; jks dks Hksts nrs gS A , d k gkus I s f'kdk; r dk Hkyh Hkkrh ijh{k.k djus es bl foHkkx ds I Eedk dfBukbZ i s k vkrh gS A D; kfd ftI vf/dkj] ds fo: } ml ds foHkkx ds deþkj] }kj k f'kdk; r dh trh gS muds dk; @pfj=k ds ckjs ml ds foHkkxk?; {k@ç'kkl dh; I fpo dks bl foHkkx I s vf/d tkudkj] gkrh gS A bl fy, I jdkj us bl ekeys ea fu.kz; fy; k gS fd Hkfo"; ea dkbZ Hkh I jdkjh deþkjh@vf/dkj ; fn vi us I s mPp vf/dkj] ds fo: } dkbZ f'kdk; r dja rks og foRrk; Ør , Ø I fpo gfj; k.kk I jdkj] pk&dl h foHkkx@funs kd] jkT; pk&dl h C; jk] gfj; k.kk] i pdk dks f'kdk; r I h/s u Hksters gq vi us foHkkxk?; {k ç'kkl dh; I fpo ds ek?; e I s Hksta A

- 2- di; k bu vkn's kka dh dMh ikyu gsrw I Hkh vi us v/huLFk deþkj; ka@vf/dkj; ka ds ?; ku ea yk fn; k tk, A
- 3- di; k bl i=k dh i korh Hksta A

gLrk @&  
voj I fpo pk&dl h]  
dir% foRrk; Ør , Ø I fpo] gfj; k.kk

I jdkj]

pk&dl h foHkkx A

, d çfr I Hkh foRrk; Ørka rFkk ç'kkl dh; I fpok] gfj; k.kk I jdkj dks I pukFk@vko'; d dk; bkgh gsrq vx'kr gS A

gLrk @&  
voj I fpo pk&dl h]  
dir% foRrk; Ør , Ø I fpo] gfj; k.kk

I jdkj]

- pk&dl h foHkkx A
- I Øk ea
- 1- I Hkh foRrk; Ør] gfj; k.kk I jdkj A
  - 2- I Hkh ç'kkl dh; I fpo] gfj; k.kk I jdkj A

v'kk0 Øekad 4@1@2000&1 pkD (1)  
24&4&2000

fnukad

Øekad 4@2@2000&1 pkD (1)

ç'kd

eq[; I fpo] gfj; k.kk I jdkj] pk&dl h foHkkx A

I øk ea

- 1- gfj; k.kk jkT; ds I Hkh foHkkxk?; {k}
- 2- vk; Ør vEcky] jkgrd] xMxkø rFkk fgl kj e.My ,ø gfj; k.kk jkT; ds I Hkh mik; Ør A
- 3- jftLVkj] iatkc rFkk gfj; k.kk mPp U; k; ky; rFkk ftyka ds I Hkh ftyk ,ø I =k U; k; k/h'k A

fnukad 14-3-2002

fo"%; & gfj; k.kk jkT; ds Js kh 1 o Js kh AA ds vf/dkfj; ka ds i {k ea i § ku ds fy, 'kks'u i=k tkjh djus grqçLrko I e; ij Hkstus ckjs A

egkn; ]

eps fun'k gvk gS fd ea vki dk ?; ku foRr foHkkx }kjk tkjh dh xbl fgnk; ra i=k Øekad 68@2@2001&for foHkkx (i § ku) , I 0, 0i h0 fnukad 3-9-2001 dks vkj fnykÅa vkj crkÅa fd mDr fgnk; ra }kjk I jdkjh I øk I s fuor gkus okys Js kh 1 rFkk AA ds vf/dkfj; ka ds i {k es i § ku ds fy, 'kks'u i=k tkjh djus dk çLrko pk&dl h foHkkx dks vf/dkj dh I øk fuor frffk I s , d o"kl i wkZ Hkstus ds fun'k fn; s Fkj ijUrq çk; % ; g ns[kus ea vk; k fd foHkkx?; {kka@ç' kkl dh; foHkkxka ds }kjk I Ecfl/r vf/dkfj; ka ds I Ecfl/ ea pk&dl h dks 'kks'u i=k tkjh djus dk çLrko I e; ij ugha Hksts tkrs gS vkj ; k fQj vf/dkj dh I øk fuor gku ds i 'pkr Hkstk tkrk gS A ftl I s I Ecfl/r vf/dkfj; ka dks I øk fuor gkus i 'pkr- mudks ns jkf'k I e; ij u feyus ea dkQh dfBukbZ dk I keuk djuk i M'rk gS vkj dbZ ckj rks I øk fuor vf/dkj }kjk ns jkf'k C; kt I fgr vnk djus ckjs dks/Z ds Hkh dj fn; s tkrs gS ftl I s I jdkj ds vuk' ; d C; kt vnk djuk i M'rk gS A

2- I jdkj ds ?; ku ea vk; k gS fd foRr foHkkx }kjk tkjh dh xbl mDr fgnk; rka dk n<rk I s ikyu ugha fd; k tk jgk gS A bl I Ecfl/ ea eq[; I fpo egkn; dh v?; {krk ea ç' kkl dh; I fpoka dh fnukad 5-2-2002 dks gpZ cBd ea fu.kZ; fy; k x; k gS fd I Ecfl/r Js kh A rFkk AA ds vf/dkfj; ka ds i § ku ds ka ds I Ecfl/ ea pk&dl h foHkkx frffk c} o ije vxrk vk/kj ij 'kks'u i=k tkjh dja A rnkud kj vki I s vug'k' gS fd di; k bu fgnk; rka dk n<rk I s ikyu fd; k tk; s rFkk Hkfo"; ea I øk& fuor gkus okys vf/dkfj; ka ds i {k ea 'kks'u i=k tkjh djus dk çLrko eq[; I fpo] gfj; k.kk I jdkj] pk&dl h foHkkx dks fuf'pr I e; ij Hksta tk; a A

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i'0 Øekad 4@2@2002&1 pk0 (A)  
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fnukad 14-03-

, d çfr funs'kd] jkT; pk0 h C; jkj gfj; k.kk dks bl vujk' ds l kFk Hksth  
tkrh gS fd l jdkj }kj vk/dkj ds 'kk'u i=k tkjh djus ds l Ecl/ ea ekaxh  
l puk rhu fnu ds vlnj Hkstuk l fuf'pr dja A

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- 1- l Hkh foRrk; Ør , d ç/ku l fpo] gfj; k.kk l jdkj A
- 2- l Hkh vk; Ør , d l fpo] gfj; k.kk l jdkj A

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- 1- l Hkh foRrk; Ør , d ç/ku l fpo] gfj; k.kk l jdkj A
- 2- l Hkh vk; Ør , d l fpo] gfj; k.kk l jdkj A

v'kk0 Øekad 4@2@2002&1 pk0 (A)

fnukad 14-3-2002

No. 4/1/03-1 Vig. (I)

From

The Chief Secretary to Government, Haryana,  
Vigilance Department.

To

1. All Heads of Department.
2. The Commissioners of Ambala, Hisar, Rohtak and Gurgaon Divisions, all Deputy Commissioners in Haryana.
3. All Heads of Boards and Corporations.

Dated, Panchkula, the 11th July, 2003.

*Subject:-* **Action on Vigilance Inquiry Report.**

Sir,

I am directed to refer to Haryana Government letter No. 4/3/81-1 Vig. (I), dated April, 1990 on the subject noted above and to say that it has been observed that Administrative Departments do not attach adequate importance to the recommendations of Vigilance Department in vigilance inquiries. Besides, final decision taken by the department is seldom intimated to the Vigilance Department with the result the Vigilance Department is not aware of the action taken by the Administrative Department against the delinquents.

2. It has come to the notice of the Vigilance Department that the recommendations of the Vigilance Department are being diluted by the Administrative Departments at their own level. This has been happening at two stages and details are as under :-

- (i) At the time of issuing charge sheet; Where Vigilance Department recommended action under rule 7 of Haryana Civil Services Rules for major punishment, the Administrative Department while issuing the charge sheet converts it into a proceeding under Rule-8 of Haryana Civil Services Rule for minor penalties.
- (ii) At the time of award of punishment upon inquiry into the charges; the A.D. takes the decision to award minor punishment even in cases where the Vigilance Department recommended action under rule 7; or alternatively issues a simple warning, in cases where Vigilance Department recommended action under rule 8 of Haryana Civil Services Rules.

It has now been decided that while issuing the charge sheet; the Administrative Department should not dilute the recommendations of Vigilance Department. Further, in all such cases where chargesheet is issued for major penalty and upon the conclusion of inquiry minor punishment is proposed to be awarded, prior concurrence of Vigilance Department be taken by sending the complete record of the case for examination in the Vigilance Department. In other cases, where charge sheet is issued under rule 8 of Haryana Civil Services Rules for minor penalties and a simple warning is proposed to be given, the A.D. shall show the case to the Hon'ble C.M. on

their file bringing out the recommendation of Vigilance Department into relief.

4. Nodal Officers/Chief Vigilance Officers/Vigilance Officers of the Departments should ensure that the Government instructions are strictly complied with in letter and spirit and they should send Quarterly Reports to the Government on the action taken on each enquiry/complaint. They should attend without fail meetings convened by the Director, State Vigilance Bureau to review Vigilance cases.

Yours faithfully,

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

A copy each is forwarded to all the Financial Commissioner and Principal Secretaries/Commissioner and Secretaries/Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

1. All the Financial Commissioner & Principal Secretaries to Government, Haryana.
2. All the Commissioner & Secretaries to Govt., Haryana.
3. All the Administrative Secretaries to Govt., Haryana.

U.O. No. 4/1/03-1 Vig. (I)

Dated, Chandigarh the 11th July, 2003

Endst. No. 4/1/03-1 Vig. (I)

Dated, Chandigarh the 11th July, 2003

A copy is forwarded to the Director, State Vigilance Bureau, Haryana for information and necessary action.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt., Haryana,  
Vigilance Department.

rRdky

Øekad 9@17@96&1 pkD (1)

ç"kd

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pkDl h foHkkx A

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- 1- gfj ; k.kk jkT; ds I Hkh foHkkxk?; {k} vk; Ør vEcky] jkgrd]  
xMxkø rFkk fgl kj e.My ,ø gfj ; k.kk jkT; ds I Hkh mi k; Ør]  
gfj ; k.kk jkT; ds I Hkh mi e.My vf/dkjh (ukxfjd) A
- 2- jftLVkj] i atkc rFkk gfj ; k.kk mPp U; k; ky; rFkk I Hkh ftyk  
,ø I =k U; k; k/h'k A  
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9@17@96&1 pkD (A)] fnukad 16 vDrncj] 1996 dh vksj vkdf"kr djus  
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- 1- I Hkh foRrk; Ør@ç/ku I fpo] gfj; k.kk I jdkj A
- 2- I Hkh vk; Ør , ð ç' kkl dh; I fpo] gfj; k.kk I jdkj A

v'kk0 Øekad 9@17@96&1 pk0 (1) fnukad p.Mhx<+ 11  
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, d çfr gfj; k.kk jkT; ds I Hkh çcl/d funs'kd] ckMz@dkj i kj's ku dks  
 I pukFkZ , ð vko'; d dk; bkgH grq Hksth tkrh gS A

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çškd

- 1- gfj; k.kk jkT; ds l Hkh foHkkxk?; {k} vk; Ør] vEcky rFkk fgl kj e.My] l Hkh mik; Ør rFkk mi e.My vf/dkjh (fl foy) A
- 2- jftLVkj] iatkc , Ø gfj; k.kk mPp U; k; ky; rFkk l Hkh ftyk rFkk l šku tt] gfj; k.kk A

fnukad p.Mhx<+18 uEcj] 1974

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ep>s funž k gvk gS fd mi jkØr fo"K; ij vki dk ?; ku l a Ør l fpo iatkc (pkšdl h foHkkx) }kj k tkjh fd; s x; s ifji=k Øekad 1732&ch (1) &61@3866] fnukad 3-4-1961 (çfr l ayXu gS) dh vksj fnykÅa vksj dgw fd l jdkj ds ukšVI ea ; g ckr vkbZ gS fd dbZ foHkkxka ea l jdkjh xkfM; ks dk nq i ; ksx fd; k tk jgk gS A l jdkj bl ekeys dks cMk XkEHkhj l e>rh gS vksj og pkgrh gS fd vki ; g l fu'pr dja fd l jdkjh xkfM; ka dk ç; ksx mlUgha mns' ; ka ds fy, fd; k tk; s ftl ds fy; s ; g mi yC/ dh xbZ gS A bl fLFkfr ea vki l s i u% vujkš' fd; k tkrk gS fd mDr l nfhkz i=k ea tkjh dh xbZ fgnk; rka dh dMh vuq kyuk dh tk; s vksj ; g fgnk; ra i u vki ds v/hu l jdkjh vf/dkfj; ka@depkfj; ka ds ?; ku es ykbZ tk; a A mlUga ; g Hkh Li "V dj fn; k tk; s fd ; fn dkbZ , s k ekeyk Hkfo"; ea l jdkj ds ?; ku ea vk; k tks l EcflU/r vf/dkjh@depkjh ds fo: } dMh vuq kkl fud dk; bkgh dh tk; sh A

2- vki dks ; g Hkh l fpr fd; k tkrk gS fd pkšdl h foHkkx ds QhYM LVkQ dks Hkh bl ckjs pšdax djus dh fgnk; ra tkjh dj nh xbZ gS A vki l s vujkš' gS fd vki bl ckjs mlUga iwKZ l g; ksx çnku dja A

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- 1- foRrk; Ør jktLo] gfj ; k.kk rFkk
  - 2- l Hkh ç' kkl dh; l fpoka A
- dks l upuk rFkk vko' ; d dk; bkgh gsrw çš'kr gS A

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- 2- I Hkh ç'kkl dh; I fpoka A

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1974

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foRrk; Ør , Ø I fpo] gfj; k.kk I jdkj] pkšdl h foHkkx A

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- 1- gfj; k.kk jkT; ds I Hkh foHkkxk?; {k] vk; Ør] vEcky o fgl kj e.My A  
I Hkh mik; Ør rFkk mi e.My vf/dkjh (ukxfjd) A
- 2- jftLVkj] iatkc , Ø gfj; k.kk] mPp U; k; ky; rFkk ftyk , Ø  
I =k U; k; k/h'k] gfj; k.kk A  
fnukad p.Mhx<+ Qjoj h 8-3-1983

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ep's funžk gqvk gš fd eš vki dk ?; ku gfj; k.kk I jdkj ds ifji=k Øekad 3060&1 pk% (1) 74@24700 fnukad 18-11-1974 (çfr vuyšud I fgr I yš u gš) dh vksj vkd"V d: a vksj vujks' d: afd I jdkj ds ?; ku ea vk; k gš fd foHkklu foHkkxka ea I jdkjh xkfM; ka dk ç; ksx djs I e; mDr ifji=k ea bšxr vups'kka dh ikyuk ugha gks jgh gš tks fd , d xEHkhj ekeyk gš A vr% vki I s vujks' gš fd mDr vups'k I Hkh I Ecfl/r vf/dkfj; ka@dešpkfj; ka ds ?; ku ea dMh vujkyuk grw yk fn; s tk; a rkfd mi yč/ I jdkjh xkfM; ka ds nq i ; ksx dh c<rh gpl çofr dh jkdFkke gks I ds A

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No. 1732-V (I)-61/3865

From

Shri Hardev Singh Chhina, I.A.S.,  
Secretary to Government, Punjab  
Vigilance Department.

To

All Heads of departments, Registrar, Punjab High Court,  
Commissioners of Divisions, District and Sessions Judges,  
Deputy Commissioners and Sub-Divisional Officers (Civil) in  
Punjab.

*Subject:-*       **Indiscriminate use of Government Vehicles.**

I am directed to invite a reference to rule 5 of the rules regulating the use of Government owned vehicles and conditions of service of drivers of those vehicles in Punjab and to say that Government vehicles are primarily meant for official touring outside the headquarters and for journeys on bonafide official duties at the headquarters under certain circumstances. Under rule 7 thereof, the Government vehicles can, however, be permitted to be used for certain non-duty journeys, prescribed therein, by the Administrative Secretaries or the Heads of Departments to a limited extent, subject always to the condition that their use for such purposes, does not interfere with the official requirements in any way. The use of Government vehicles for journeys to places of public amusement such as cinemas, races, clubs etc. is strictly forbidden under rule 8 of the rules. As such, not only the indiscriminate use of the vehicles and the misuse thereof for private journeys is a contravention of these rules and existing instructions but it also amounts to misuse of Government property and wastage of public funds. These rules were further supplemented by Punjab Government circular letter No. 5316-ST-57/5114-CH/59598, dated the 6th/15th July, 1957 whereby instructions were issued for the maintenance of log books by the drivers, of the vehicles, making of the prescribed entries in respect of private journeys before the commencement thereof and prohibiting the garaging of Government vehicles at the residence of the Officers. The observance of these instructions enables the checking staff to distinguish between genuine cases of private use on payment and other cases in which the vehicle is used for private purposes but the journey is being charged to Government. The necessity of ensuring proper use of vehicles for official purposes was emphasised in circular letter No. 266-328/17, GB/58/GVB, dated the 11th March, 1959, from the Secretary, Government Vehicles Board addressed to all Heads of Departments etc.

It has, however, been noticed that despite repeated instructions Government vehicles are often not being used strictly for the purpose for which these are meant and continue to be used for non-duty and private journeys in contravention of the Rules and instructions issued from time to time. With a view to discourage this increasing misuse of Government vehicles, it has been decided that a very strict notice shall be taken of such contravention in future and a very severe and deterrent punishment shall be imposed for such proved cases of default as is in the case of drawal of false T.A. The precise punishment should, of course, depend upon the nature of the offence. It may be added that the driver of the vehicle who fails to make necessary entries in the Log Book before commencing a journey shall also be held responsible for his lapse and omission. The vigilance field staff has

been entrusted with the function of test checks, co-operations in this behalf may please be extended to them.

I am to request that these orders should be got noted by all Government servants under your control at the head quarters and in your subordinate offices. A certifiante to the effect that this has been done should be forwarded to Government in the Vigilance department within one month of the receipt of this letter.

Yours faithfully,

*Sd/-*

(HARDEV SINGH CHHINA)  
Secretary to Government, Punjab,  
Vigilance Department.

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D; k %&

- 1- eq; l fpo] gfj; k.kk l jdkjA
- 2- gfj; k.kk jkT; ds l Hkh forrk; Ør , o l fpoA
- 3- gfj; k.kk jkT; ds l Hkh vk; Ør , o l fpoA
- 4- gfj; k.kk l jdkj ds l Hkh l fpo]

mijkØr fo'k; dh vkj /; ku naxA

2- dN l e; l s ; g vuHko fd; k tk jgk gS fd pksdl h fofHkx }kjk fofHkUu fofHkxka ds de'p'fj; ka vf/kdkfj; ka ds fo: ) dh xbl tkp fjiks/ka tks fofHkUu iz'kkl dh; l fpoka dks vxkeh dk; bkg g'v'kr dh tkrh gS mu ij iz'kkl dh; fofHkx@foHkxk/; {k dkQh l e; rd dk; bkg iw'kz ugha dj ikrA dN ekeyka ea rks ; g Hkh ns[kus ea vk; k gS fd iz'kkl dh; fofHkx }kjk 4&5 o'kz dh vof/k ds mijku' ekeyk mBk; s tkus ij u; s fl js l s tkp fjiks/VZ dh ifr; ka ekach tkrh gS tks fd vR; ur [kntud lFkfr gA bl izdkj dh lFkfr l s fuiVus ds fy, ; g fu.kz; fy; k x; k gS fd Hkfo'; ea iR; d fofHkx l s l Ecu/kr tkp fjiks/ka ij dh xbl dk; bkg ckjs fofHkUu fofHkxka ea fu; Ør eq; pksdl h vf/kdkjh@pksdl h vf/kdkjh , d =ekfl d fjiks/VZ pksdl h fofHkx dks Hkst'ks ftl ea l Hkh yf'cr tkp fjiks/ka ckjs dh xbl dk; bkg dh or'eku lFkfr dk foj.k fn; k tk, xk vkj Inter-ia ; g Hkh Li'V foj.k fn; k tkuk gksk fd ekeys dks v'ure : i nus ea D; k D; k dfBukb; k (bottle-necks) isk vk jgh gA vr% mul s ; g vujks'k fd; k tkrk gS fd vius v/khuLFk l Hkh fofHkx/; {ka dks ; g funsk tkjh dja fd muds fofHkxka ea fu; Ør eq; pksdl h vf/kdkjh@pksdl h vf/kdkjh ; g l fuf'pr dja fd mijku' =ekfl d fjiks/VZ pksdl h fofHkx dks tuojh] viy] tykbz rFkk vDncj dh 15 rkjh[k rd iR; d voLFkk ea fu; fer : i l s Hksth tk, A bu vup'ska dh vogsyuk dks l jdkj xEHkj : i l s yxh rFkk l Ecu/kr eq; pksdl h vf/kdkjh@pksdl h vf/kdkjh dks bl l Ecu/k ea gq l p' ds fy, 0; fDrxr : i l s ftEokj Bgjk; k tk; xkA ; gka ; g Hkh Li'V djuk mfpr gksk fd Hkfo'; ea bl izdkj ds ds ka dks Properly pursue djuk l Ecu/kr fofHkx ea fu; Ør eq; pksdl h vf/kdkjh@pksdl h vf/kdkfj; ka dh fo'ks'k ftEokjh gksch vkj ; g lFkfr eq; ea=h egkn; dks l e; & l e; ij iLr' dh tk, xhA

bl l Ecu/k ea 31 vDncj] 1981 rd ikr tkp fjiks/VZ ckjs igyh fjiks/VZ 15 uoEcj] 1981 rd pksdl h fofHkx dks Hkst nh tk, rFkk ml ds ckn =ekfl d fjiks/VZ tuojh] viy] tykbz rFkk vDncj dh 15 rkjh[k rd fu; fer : i l s Hksth tk, A

- 3- dq; k bl ifji= dh ikorh HkstA

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l a Ør l fpo] pksdl h]  
d'rs % forrk; Ør , oa l fpo] gfj; k.kk l jdkj]  
pksdl h fofHkxA

l ok ea

- 1- eq; l fpo] gfj; k.kk l jdkjA
- 2- l Hkh forrk; Ør , o l fpo] gfj; k.kk l jdkjA
- 3- l Hkh vk; Ør , o iz'kkl dh; l fpo] gfj; k.kk l jdkjA
- 4- l Hkh iz'kkl dh; l fpo] gfj; k.kk l jdkjA

Sr No.	Inquiry No. & Name with designation of the officers/official involved with their deptts.	Action required to be taken	Position at the close of the quarter	Reasons for delay in finalization of the case if any	Remarks
1-	2-	3-	4-	5-	6-

No. 4/22/78-1 Vig (II)

From

The Commissioner & Secretary to Govt., Haryana.  
Vigilance Department.

To

- (1) All Head of Departments.
- (2) The Commissioner of Ambala and Hisar Divisions, All Deputy Commissioners in Haryana.

Date Chandigarh, the 22nd August, 1986.

**Subject : Reorganization of the Vigilance Machinery- Appointment and functions of the Departmental Vigilance Officers.**

**Sir,**

I am directed to invite your attention to Haryana Government letter No. 4/22/78-Vig.(1), dated the 14th February, 1980 on the subject noted above vide which Jurisdiction and functions of the Vigilance Department were intimated to you in detail. Part V of the Annexure appended to the said letter deals with the appointment and functions of the Departmental Vigilance Officer which is re-produced below :-

"Anti - corruption works is the premier responsibility of Heads of Departments/ Officers and should form an integral part of their day to day duties. To achieve this, every Directorate, Department shall nominate a Chief Vigilance Officer for the entire department who will have under him an appropriate number of Vigilance Officers, wherever, necessary. Normally wherever Administrative Officers are in position, they will be made the Chief Vigilance Officers. In other cases, number two in the departmental hierarchy may be given this position. The officers so nominated should be of a high calibre with irrefutable reputation for integrity. The Vigilance work will be an important additional assignment for them and they shall discharge their functions under the general supervision of heads of departments. Their appointment shall, however be subject to approval of the Government in the Vigilance Department. Their functions will be as follows :-

- (a) To examine all aspects of the work with a view to locating the points where opportunity for corruption is likely to arise, for organising regular and surprise inspections and devising other ways and means for minimising the scope of corruption.
- (b) To initiate prompt action and pursue it with vigour and speed when they appears to be reasonable grounds for suspicion of corruption and malpractices against individual officers.
- (c) To examine and review departmental rules and procedures and suggest measures to improve and tighten them so as to plug the loop holes for corruptions.
- (d) To ensure that all complaints relating to corruption are looked into promptly.
- (e) To ensure compliance with the Code of Conduct prescribed for its officers.
- (f) To initiate administrative action, as under, in case where material is considered to be sufficient to lead to a moral conviction about lack of integrity in a particular Government servant :-

- (i) Transfer to a post of lesser responsibility.
- (ii) Reversion to a substantive rank.
- (iii) Compulsory retirement.
- (iv) Termination of Service in case of purely temporary hands.
- (v) Proper scrutiny of property statements.
- (g) To ensure co-operation with the vigilance department or with any other agency dealing with corruption cases, specially in regard to :-
  - (i) Making relevant records available without any avoidable delay.
  - (ii) Giving technical assistance wherever necessary.
  - (iii) Making available departmental witnesses required during investigation and departmental proceedings.
  - (iv) Service of documents e.g. charge-sheets, statement of allegations or show cause notices, etc.
- (h) To ensure that departmental inquiry and disciplinary proceedings are completed expeditiously.
- (i) To expeditiously finalise cases of suspended Government servants.
- (j) To ensure that punishments are awarded adequately. Government may constitute investigation staff to assist. The Chief Vigilance Officers in selected departments.

2. The matter has been considered further and with a view to having an assessment of the work being done by the various Chief Vigilance Officers/Vigilance Officers, it has been decided to obtain quarterly reports indicating in detail the work done by the Chief Vigilance Officers/Vigilance/Officers. Such reports should be sent to the Vigilance Department through the Administrative Department concerned by the 20th of the month following the close of the quarter concerned. You are, therefore, requested to send immediately the report for the quarter ending on 30.06.1986 and also ensure timely submission of such reports in future.

Yours faithfully,

Sd/-

Joint Secretary, Vigilance,  
for Commissioner & Secretary to Govt. Haryana,  
Vigilance Department.

A copy is forwarded for information and necessary action to :-

1. The Financial Commissioner & Secretary to Govt., Haryana, Revenue Department.
2. All Financial Commissioners/Commissioners and Secretaries to Govt., Haryana.

They are requested to ensure that the quarterly report on the work of the Chief Vigilance Officers/Vigilance Officers working in the departments under their administrative control are submitted to the Vigilance Department by the stipulated date.

Sd/-  
Joint Secretary, Vigilance,  
for Commissioner & Secretary to Govt. Haryana,  
Vigilance Department.

To

1. The Financial Commissioner & Secretary to Govt., Haryana, Revenue Department.
2. All Financial Commissioners/Commissioners and Secretaries to Govt., Haryana.

No. 4/22/78-1 Vig. (1)

date, Chandigarh, the 22nd August, 1986

No. 4/2/87-1 Vig. (1)

From

The Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

All Heads of Departments,  
Commissioner, Ambala, Hisar, Gurgaon and Rohtak Division/Deputy  
Commissioners and S.D.O. (Civil) in the State.

dated, Chandigarh the 1st February, 1990.

**Subject :- Requisition of services of officers of specialized nature for  
Vigilance enquiries.**

Sir,

I am directed to address you on the subject noted above and to say that many a time Anti-corruption Board/C.M.'s Flying Squad is entrusted with investigation of complaints relating to technical matters. For proper investigation of such cases requisition of services of officers of specialised nature become unavoidable. Accordingly, the matter was discussed in the meeting of the Implementation Sub-Committee held on 05.07.1989 at 11.30 A.M. The Committee has recommended that services of officers of specialised nature of duty be placed at the disposal of Anti-Corruption Board/Chief Minister's Flying Squad, wherever needed, for specific purpose and time. The Government consider that association of officers of specialized nature with the conduct of enquiries will go a long way for the speedy disposal of investigation of complaints entrusted to Anti-Corruption Board/C.M.'s Flying Squad. As such, I am to request you that whenever services of officers of specialized nature are requisitioned by the Member Secretary, Implementation Sub-Committee, Anti-Corruption Board or by the D.I.G. C.M.'s Flying Squad, services of said officer be placed at their disposal for specific purpose and time after seeking approval of appropriate competent authority. I am, therefore, to request you that these instructions may kindly be brought to the notice of all officers working under your control for compliance.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

Endst. No. 4/2/07-1 Vig. (1)

Dated Chandigarh the 1st February, 1990.

A copy each is forwarded for information and necessary action :-

1. Member Secretary, Implementation Sub-Committee, Anti-Corruption Board.
2. D.I.G. C.M.'s Flying Squad.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy each is forwarded to all the Financial Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-  
Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

All Financial Commissioners/commissioners &  
Secretary to Government, Haryana.

U.O. No. 4/2/97-1 Vig. (1)

Dated Chandigarh the 1st February, 1990.

**Immediate**

No. 4/22/78-1 Vig. (1)

From

The Chief Secretary to Govt. Haryana,  
Vigilance Department.

To

All Heads of Department  
The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
all Deputy Commissioners in Haryana.  
All Heads of Boards and Corporations.  
Dated Chandigarh, the 15th March, 1990.

**Subject:- Reorganisation of the Vigilance Machinery Appointment and functions of the Departmental Vigilance Officers.**

**Sir,**

I am directed to refer to the Vigilance Department's letter No. 4/22/78-1 Vig. (1) dated the 14th February, 1980 and a letter of even number dated the 22nd August, 1986 followed by discussion in a meeting of Chief Vigilance Officers/Vigilance Officers of the various Departments held on the 4th July, 1989, on the subject noted above, and to say that in the above said letters it was emphasised that every Directorate/Department shall nominate a Chief Vigilance Officer for the entire department. The officer so nominated should be of a high caliber and highly motivated with interest in this type of work with impeccable reputation for integrity. Their appointment shall be subject to the approval of the Government.

2. This matter has been considered and it has been felt that following points may be kept in mind before the selection of a suitable officer for this post :-

- (i) The selection and appointment of the Chief Vigilance Officer is to be by name keeping in view the suitability of the Officer concerned and not by Designation.
- (ii) No Vigilance enquiry should be pending against that officer nor should he had been indicated in any Vigilance enquiry in the past.

The Chief Vigilance Officer should not be less than two ranks junior to the Head of the Department. (For example in the P.W.D. the Chief Vigilance Officer should preferably be of the rank of Senior Superintending Engineer.) A right selection at this time will be in the interest of Department.

3. As decided in the meeting of the Chief Vigilance Officers/Vigilance Officers of the various departments held on 04.07.1989. Chief Vigilance Officers in each Department/Board/Corporation thus appointed will have regular consultations with the Director, State Vigilance Bureau, Haryana, regarding their work and functioning.

4. I, therefore, request that you may please give your personal attention to this important task and arrange to send a panel of 3 suitable officers conforming to the above norms to this office within a week for making selection of the Chief Vigilance officers for your Department/Board/corporation.

Yours faithfully,

Sd/-  
Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

Endst. No. 4/22/78-1 Vig. (1)

Dated, Chandigarh the 15th March, 1990.

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh with reference to his memo. No. 13334/SVB (H) dated 20.10.89.

Sd/-  
Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy each is forwarded for information and necessary action to :-

(1) All Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

(2) All Administrative Secretaries to Government, Haryana.

Sd/-  
Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

All Administrative Secretaries to Government, Haryana.

U.O. No. 4/22/78-1 Vig. (1)

Dated, Chandigarh the 15th March, 1990.

No. 4/22/78-1 Vig. (1)

From

The Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

All Heads of Departments in Haryana.  
The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
all Deputy Commissioners in Haryana.  
All Heads of Boards and Corporations in Haryana.

Dated Chandigarh, the 8th May, 1990.

**Subject:- Reorganisation of the Vigilance Machinery.**

Sir,

I am directed to refer to Haryana Government, letter No. 4/22/78-1 Vig. (1) dated the 19th April, 1990, on the subject noted above and to say that proforma circulated with above said letter has been revised with a view to ensure that information furnished to Government, is complete & comprehensive. Revised proforma, now prescribed, is enclosed. As such, I am to request you that requisite information should be furnished to Vigilance Department every month on the enclosed proforma. The first such report on the enclosed proforma, should reach the Government by 15th May, 1990 and subsequently by the 15th of every month positively.

2. Kindly acknowledge receipt.

Yours faithfully,

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

Endst. No. 4/22/78-1 Vig. (1)

Dated, Chandigarh the 8th May, 1990.

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy is forwarded for information and necessary action to :-

(1) All Financial Commissioners/Commissioners and Secretaries to Govt. Haryana.

(2) All Administrative Secretaries to Govt. Haryana.

He is requested kindly to ensure tat requisite information is furnished to Government by Departments under this control by the 15th of every month positively.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

All the Financial Commissioners/commissioners and  
Secretaries to Government, Haryana.

All Administrative Secretaries to Government, Haryana.

U.O. No. 4/22/78-1 Vig. (1)

Dated, Chandigarh the 8th May, 1990.

No. 4/1/92-1 Vig. (1)

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From

The Chief Secretary to Govt. Haryana,  
Vigilance Department.

To

All Heads of Departments.  
The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
all Deputy Commissioners in Haryana.  
All Heads of Boards and Corporations.

Dated Chandigarh, the 13th January, 1992.

**Subject:- Reorganisation of the Vigilance Machinery Appointment and functions of the Departmental Chief Vigilance Officers/Vigilance Officers.**

Sir,

I am directed to refer to the instructions contained in the Vigilance Department letter No. 4/22/78-1 Vig (1) dated 14th February, 1980 and letters of even No. dated 22nd August, 1986 and 15th March, 1990 on the subject noted above which inter-alia lay down the criteria for the appointment of Chief Vigilance Officers/Vigilance Officers. In the letter dated 15.03.1990 it was envisaged that all the Departments/Boards/ Corporations may send a panel of three names of suitable Officers to this Department for making selection of the Chief Vigilance Officers/Vigilance Officers. The matter has been re-examined, and it has been decided that nominations of Chief Vigilance Officers/ Vigilance Officers of the Departments/Boards/corporations will be made in future by the Administrative Secretary of the department concerned and there is no need to send a panel of names to Vigilance Department for this purpose. However, the Administrative Secretaries may ensure that the criteria out-lined in the instructions dated 15.03.1990 is strictly followed while making appointment of the Chief Vigilance Officers/Vigilance officers. The name of Chief Vigilance Officers/Vigilance officers so nominated should be sent to Vigilance Department immediately.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

Endst. No. 4/1/92-1 Vig (1)

Dated Chandigarh, the 13.1.92

A copy is forwarded for information and necessary action to the Director General, State Vigilance Bureau, Haryana, Chandigarh.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy is forwarded for information and necessary action to :-

- (1) All Financial Commissioners/Commissioners and Secretaries to Govt. Haryana.
- (2) All Administrative Secretaries to Govt. Haryana.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

All the Financial Commissioners/Commissioners and  
Secretaries to Government, Haryana.

All Administrative Secretaries to Government, Haryana.

U.O.No. 4/1/92-1 Vig. (1)

Dated, Chandigarh the 13th January, 1992.

**Most Immediate**  
**Date Bound Reminder**

No. 4/1/92-1 Vig. (1)

From

The Chief Secretary to Govt. Haryana,  
Vigilance Department.

To

All Heads of Departments.

The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
all Deputy Commissioners in Haryana.

All Heads of Boards and Corporations.

Dated Chandigarh, the 11.08.2003.

**Subject:- Reorganisation of the Vigilance Machinery - Appointment and functions of the Departmental Chief Vigilance Officers/Vigilance Officers.**

**Sir,**

I am directed to refer to Government letter No. 4/1/92-5V (1), dated the 3rd May, 2001 and reminders dated 29.05.2001 and 06.07.2001 and 31.01.2002 on the subject mentioned above vide which you were requested to send the names of Chief Vigilance Officers/Vigilance Officers of your Department so nominated, to the Vigilance Department within two days positively. But the requisite information has not been received from several departments/offices. You are, therefore, requested to supply the requisite information pertaining to your department/office to the Vigilance Department by return post.

Superintendent Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy is forwarded to :-

- (1) All the Financial Commissioners/Principal Secretaries/ Commissioners and Secretaries to Govt. Haryana.
- (2) All the Administrative Secretaries to Govt. Haryana.

With reference to this department U.O. No. 4/1/92-5V(1) dated 3rd May, 2001 and reminders dated 29.05.2001 and 06.07.2001 and 31.01.2002 for information and necessary action.

They are requested to direct all the departments under their control to send the requisite information to this department by return of post positively.

Sd/-  
Superintendent Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

- (1) All the Financial Commissioners/Principal Secretaries/ Commissioners and Secretaries to Government, Haryana.
- (2) All Administrative Secretaries to Government, Haryana.

U.O.No. 4/1/92-1 Vig. (1)

Dated, Chandigarh the 11.08.2003.

No. 4/1/92-1 Vig. (1)

Dated, Chandigarh the 11.08.2003.

A copy is forwarded to Director, State Vigilance Bureau, Haryana, C-10, Sector-6, Panchkula with reference to his D.O. letter No. 9820/1-4/SVB (H), Panchkula, dated 18.07.2003 for information and necessary action.

Sd/-  
Superintendent Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

**Subject :- Regarding prior consultation with the Central Govt., before entrusting a case to C.B.I.**

Wills--

All the Financial Commissioner, Haryana; and

All the Administrative Secretaries to Govt. of Haryana.

Kindly refer to the subject noted above ?

2. For sometime past, Government of India have noticed that State Govt. (S) make announcements about entrusting cases to C.B.I. for investigation, without prior consultation with the Govt. of India, which cause considerable embarrassment, all over in case of failure of the C.B.I. to take up to investigations for certain obvious reasons. In this connection, copies of D.O. letter No. 321/4/79-AVD-III, dated 26.06.1979 from Secretary to Govt., of India, Ministry of Home Affairs, Department of personnel and Administrative Reforms to all the State Govt. (s) and D.O. letter No. 321/5/72-ADV (III), dated 05.06.1972 from Shri Ram Niwas Mirdha, Minister, Govt. of India, Department of Personnel, Cabinet Secretariat; together with enclosures are enclosed. It is requested that whenever it is proposed to entrust a case to the C.B.I. for investigation, the instructions contained in the communications referred to above may please be kept in view.

Sd/-

Under Secretary, Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

All the Financial Commissioner, Haryana; and

All the Administrative Secretaries to Govt. of Haryana.

U.O. No. 1/5/80-1 Vig.

Dated Chandigarh, the 14.07.1980

**Confidential**

Mahashwar Prasad  
Secretary

D.O. No. 321/4-79-AVD-III  
Government of India  
Ministry of Home Affairs  
Department of Personnel & A.B.  
New Delhi- 110 001 June 25,

1979.

Dear Shri

Often, announcements are made about entrusting cases to the C.B.I for investigation. No doubt, the C.B.I will try to assist the State Government wherever possible, but it has certain limitations both of resources and jurisdiction. If, therefore, any announcements are made to the effect that investigation is being entrusted to the C.B.I and later it is found that the C.B.I is not in a position to take it up, it might cause considerable embarrassment all round, more so, if an assurance for a C.B.I investigation is sought for and given in the State legislative.

2. The types of cases which can be taken up for investigation by the C.B.I were broadly indicated to the State Governments in a confidential demi-official letter No. 321/5/72-AVD. III, dated June 5, 1972, addressed to your Chief Minister, a copy of which is enclosed. As explained therein, the C.B.I. has a limited and specified jurisdiction. While it might be useful to bring in the agency of the C.B.I. where examination of a large number of documents, etc. is primarily **involved**, it may be noted that the C.B.I. may have no special advantage over the local or the State Police in matter where knowledge of local conditions, local bad characters, etc., is essentially needed.

3. While the Government of India will certainly try to assist the State Governments in extending to them the services of the C.B.I wherever possible, the need and the desirability of consulting the Central Government before making any announcements regarding entrusting of cases to the C.B.I cannot be over-emphasised. I shall be grateful. If this matter is brought to the notice of the State Government suitably, so that the factors involved may be considered carefully wherever it is proposed to ask for cases being entrusted to the C.B.I. for investigation.

Yours sincerely,  
Sd/-

(M. Prasad)

## TYPES OF CASES WHICH ARE GENERALILY TAKEN UP FOR INVESTIGATION BY THE C.B.I.

The Investigation Division of the C.B.I. is called the S.P.E. Division and functions under the Delhi Special Police Establishment Act, 1946. The S.P.E. was created to investigate cases involving Central Government Servants and cases involving interests of Central Government or Central Government Public Sector Undertakings. Later of cases relating to breaches of certain laws with the enforcement of which the Government of India is particularly concerned namely, braches of Import & Export (Central) Act and those of Foreign Regulations Act, and enforcement branch was created in the S.P.E. The C.B.I. was established round the nucleus of S.P.E. on 1<sup>st</sup> April, 1963. The S.P.E. became the main division of the C.B.I. A letter later the S.P.E. Division was divided into two Wings-General Offences Wing and Economic Offences Wing. The G.O.W. new investigate all cases relating to Central Government servants employees of Central Public undertakings, and other general offences involving interests of Government of India. The E.O.W. investigates economic offences, i.e., offences under the Import & Export Act, Foreign Exchange Regulations Act, Customs Act etc. Cases of frauds etc., involving Joint Stock Companies are also mostly investigated by E.O.W.

2. Under the D.S.P.E. Act the C.B.I. can only investigate the offences which have been notified by the Department of Personnel under section 3 of the D.S.P.E. Act. A complete list of the offences notified under this section is enclosed.

3. Legally the S.P.E. Division of the C.B.I. can investigate into any of the offences contained in the enclosed list. However, in accordance with the understanding with the State Governments it takes up, *suo moto*, only those cases which involve either Central Government servants of officers belonging to Public Sector Undertakings under the Central Government, or which involve financial or other interests of Central Government, or which involve financial or other interests of Central Government or Public Sector undertakings under the Central Government. It also takes up on its own initiative offences under certain Central Acts, mentioned above, with the enforcement of which Central Government is concerned. Cases not falling under any of the above categories, i.e. those mainly involving State Government employees or private persons can also be taken up by the C.B.I. but with the concurrence or at the request of the State Government concerned.

4. The C.B.I. is a small specialized investigating agency. The staff available with the C.B.I. for taking up cases referred to by States is extremely limited and the best use of the limited resources can be made by having a proper appreciation of the types of cases for which the C.B.I. has acquired an expertise. As a great majority of cases handled by the C.B.I. related to allegation of corruption or/cases relating to economic offences, the C.B.I. has acquired some expertise in investigation of such cases. As C.B.I. Officers, unlike local police officers, do not have any local influence they have naturally to depend more on documentary evidence than on oral evidence. They have, therefore, acquired considerable experience in examination of documents and accounts etc. There is also a Technical Division in the C.B.I. named by Income-tax Officers and Chartered. Accountant which provided technical assistance to Investigating Officers in cases involving examination of accounts of various types.

5. For the reasons mentioned above, the most suitable cases for being entrusted to the C.B.I. by states would be those which involving, examination of voluminous or difficult documents, or which cannot be properly investigated by the police of one State on account of Inter – State or even international ramifications. It will really be a waste of the limited resources of the C.B.I. to ask them to investigate cases which are investigated by the State Police will fall under this head. It might also be added that in such cases the C.B.I. suffers from certain disadvantages in prosecutions in Court because, unlike to local police, they do not have any hold over witnesses and, therefore, these can be more easily won over.

**Confidential**

D.O. No.321/5/72-1 VD (III)  
 Minister, Department of Personnel  
 Cabinet Secretariat  
 Government of India.

New Delhi, 5 June, 1972.

From time to time we get requests from State Governments seeking help of the C.B.I. for investigating cases in the States. As the resources of the C.B.I. are very limited only a small number of cases which are really important and complicated in nature or may have Inter-State or international ramifications are given to it for investigation. I am enclosing herewith a note which briefly indicates the types of cases which are generally taken up for investigation by the C.B.I.

2. It may be seen that the C.B.I. is a small specialized Central Police Agency and derives its power of investigation from the Delhi Special Police Establishment Act, 1946. It is mainly meant for investigation of case relating to Central Government servants, employees of Central Public Undertakings and other general offences involving interests of the Govt. of India. It also investigates important economic offences, i.e., offences under the Imports & Exports Act, Foreign Exchange Regulations Act, Custom Act and frauds etc. involving Joint Stock Companies. The C.B.I. has no great advantages over the local police in investigating ordinary crimes like murders, riot, burglary and dacoity etc. Investigation of these crimes requires lot of oral evidence as well as knowledge of local criminals. Such crimes should, therefore, be left to the local police for investigation unless in any particular case there are special reasons for which its investigation need to be entrusted to the C.B.I.

3. While we will always be ready to make available the services of the C.B.I. to the States whenever requests for the same are made, you may kindly bear in mind its limited resources and the types of cases for the investigation of which it is really better equipped. In any case it will be desirable not to make any public announcement for entrusting a case to the C.B.I. for investigation without prior consultation with us.

Yours sincerely,

Sd/-

(Ram Niwas Mirdha)

The Chief Ministers of all the States.

**LIST OF OFFENCES NOTIFIED UNDER SECTION 3 OF THE DELHI  
SPECIAL POLICE ESTABLISHMENT ACT, 1946 (25 OF 1946).**

GROUP 'A'

OFFENCES WHICH THE DELHI SPECIAL POLICE ESTABLISHMENT IS COMPETENT TO INVESTIGATE IN ALL STATES INCLUDING JAMMU & KASHMIR EXCEPT IN CASES WHERE ANY OF SUCH OFFENCES HAS BEEN INDICATED BELOW AS NOT APPLICABLE TO ANY PARTICULAR STATE OR A PORTION THEREOF.

**M.H.A. Notification No. 25/12/62-ADV.1, dated 18.02.1963 read with M.H.A. Notification No. 25/9/64-AVD, dated 01.09.1964 Notification No. 228/2/65-AVD.II, dated 19.05.1966.**

Offence punishable under sections 161,162,163,164,165,165A, 166,167,168,169,182,193,197,108,201,204,211,218,231,232,233,234, 235,236,237,238,239,240,241,242,243,244,245,246,247,248,249, 250, 251,252,253,254,255,256,257,258,259,260,261,262,263,263A,379,380, 381,382,384,385,386,387,388,389,403,406,407,408,409, 411, 412, 413, 414,417,418,419,420,465,466,467,468,471,,472,473,474,475,476,477A ,489A, 480B, 489C, 489D and 489E of the Indian Penal Code 1860 (XLV of 1860) (These offences are not applicable to the State of Jammu & Kashmir).

Offences punishable under the Prevention of Corruption Act, 1947, (II of 1947)

(These offences are not applicable to the State of Jammu & Kashmir).

Offences punishable under the Defence of India Act, 1962 and the Defence of India Rules framed there-under.

Offences punishable under the Foreign Exchange Regulations Act, 1947 (VII of 1947).

(Applicable to Kohima and Mokokchung Districts of the State of Nagaland and not to the whole of Nagaland).

Offences punishable under sections 01,52,55 and 56 of the India Post Office Act, 1898 ( VII of 1898).

Offences punishable under section 63,68,116,538,539,540,541,542, 628,629 and 630 of the Companies Act, 1956 (1 to 1956).

Offences punishable under the Indian Official Secrets Act, 1923 (XIX of 1923).

Offences punishable under section 7 and 8 of the Essential Commodities Act, 1955 (X of 1955) and conspiracies in relation thereto or in connection therewith.

Offences punishable under section 24 (1) (iii) of the Industries (Development ad Regulation) Act, 1951 (LXV of 1951) and conspiracies in relation thereto or in connection therewith.

Offences punishable under the Indian Wireless Telegraphy Act, 1933 (XVII of 1933).

Offences punishable under section 27 of the Indian Telegraph Act, 1885 (XVII of 1885)

Offences punishable under section 27 of the Indian Telegraph Act, 1885 (XVII of 1885)

Offence punishable under rule 6 of the Indian Passport Rules, 1950 read with sub-section (3) of section 3 of the Indian Passport Act, 1920 (XXIV of 1920)

Offences punishable under section 4 of the registration of Foreigners Act, 1939 (XVI of 1939).

Offences punishable under sections 10,11 and 12 of the Aircraft Act, 1934 (XII of 1934) and under any rule made under sections 5,7,8A or 8B of the said Act.

Offences punishable under section 14 of the Foreigners Act, 1946 (XXXI of 1946).

Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in items 1 to 7 and items 10 to 16 above and any other offences committed in the course of the same transaction arising out of the same facts.

**II. M.H.A. Notification No. 25/3/60-AVD-II dated 1.4.1964**

Offences punishable under section 132,133,134,135 and 136 of the Customs Act, 1962 (52 of 1962).and

attempts, abetments and conspiracies in relation to or in connection with these offences and any other offences committed in the course of the same transaction arising out of the same facts.

**M.H.A. Notification No. 228/1/65 (1) AVD-II dated 08.02.1965.**

Offences punishable under section 10,11,12,13,14,15,16,17,19,20 and 21 of the Dangerous Drugs Act, 1930 (2 of 1930).

**IV. M.H.A. Notification No. 25/4/64- AVD.II dated 21.11.1967.**

Offences punishable under section 277 and 278 of the Income Tax Act, 1961, (43 of 1961).

Offences punishable under sections 9 and 17 of the Central Excises and Sale Act, 1944 (1 of 1944), and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**V. M.H.A. Notification No. 228/6/67- AVD.II dated 15.07.1970**

Offences punishable under section 12 of the Passport Act, 1967 (15 of 1976), and

attempts, abetments and conspiracies in relation to or in connection with these offences and any other offence committed in the course of the same transaction arising out of the same facts

**Department of Personnel Notification No. f228/1167-AVD-II, dated 03.09.1970.**

Offences punishable under section 6 of the Air Craft Act, 1934 (22 of 1934), and

attempts, abetments and conspiracies in relation to or in connection with these offences and any other offence committed in the course of the same transaction arising out of the same facts.

## **GROUP 'B'**

OFFENCES IN WHICH JURISDICTION OF THE DELHI SPECIAL POLICE ESTABLISHMENT HAS BEEN EXTENDED TO DIFFERENT STATES BUT NOT TO ALL THE STATE. NAME(S) OF THE STATE/STATES IN WHICH JURISDICTION AND POWERS HAVE NOT BEEN EXTENDED, HAVE BEEN INDICATED IN SQUARE BRACKETS BELOW EACH ITEM.

### **I. M.H.A. Notification No. 228/4/66 AVD-II(1), dated 23.12.1966.**

1. Offences punishable Under Sections 124A and 505 of the Indian Penal Code, 1860 (45 of 1860), and

attempts, abetment and conspiracies in relation to or in connection with any of these offences.

(States of Punjab, Tamil Nadu, Kerala and J&K).

### **II. M.H.A. Notification No. 25/12/62 AVD-I dated 18.02.1968.**

Offences punishable under the Imports and Exports (Control) Act 1947 (XVIII OF 1947);

Offences punishable under sections 104 and 105 of the Insurance Act 1938 (IV of 1938);

Offences punishable under the Railways Stores (Unlawful Possession) Act, 1955 (II of 1955); and

attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in item 2 to 4 above and any other offences committed in the course of the same transaction arising out of the same facts.

(State of Nagaland).

### **III. M.H.A. Notification No. 228/1/65- AVD-II dated 08.02.1965.**

Offences punishable under section 9 of the Opium Act, 1978 ( I of 1978)

(Jammu & Kashmir)

### **IV. M.H.A. Notification No. 25/4/64 AVD-II dated 21.11.1967.**

Offences punishable under section 196,199 and 200 of the India Penal Code ( 45 of 1860), and

attempts, abetments and conspiracies in relation to or in connection with the one or more of these offences and any other offences committed in the course of the same transaction arising out of the same facts.

(State of Jammu & Kashmir)

**V. M.H.A. Notification No. 228/7/65- AVD-II dated 13.07.1970.**

Offences punishable under section 500, 501 and 502 of the Indian Penal Code, 1860( 45 of 1860), and

attempts, abetments and conspiracies in relation to or in connection with the one or more of these offences and any other offences committed in the course of the same transaction arising out of the same facts.

(State of Punjab & Tamil Nadu).

**M.H.A. Notification No. 228/3/66- AVD-II dated 10.07.1980**

Offences punishable under section 171E and 171F of the Indian Penal Code, 1860 (48 of 1860);

Offences punishable under sections 31 and 32 of the Representation of the People Act, 1951 ( 43 of 1951); and

Offences punishable under sections 128, 129, 134 and 136 of the Representation of the People Act, 1951 ( 43 of 1951); and

attempts, abetments and conspiracies in relation to or in connection with the one or more of the offences mentioned in items 8 to 10 above and other offences committed in the course of the same transaction arising out of the same facts.

(Jammu and Kashmir in respect of items 8 to 10 and Tamil Nadu in respect of item 8 above);

Note The offences mentioned in item 5, above apply to the Tuensang Distt. Of Nagaland and not to the whole of Nagaland.

**GROUP 'C'**

OFFENCES UNDER THE STATE ACTS AND WHICH CAN BE INVESTIGATED BY THE DELHI SPECIAL POLICE ESTABLISHMENT IN THE STATE CONCERNED ONLY.

**M.H.A. Notification No. 228/4/66 AVD-II(1), dated 07.10.1986.**

Offences punishable under the West Bengal Security Act, 1950 (West Bengal Act XIX of 1950) as re-acted by the West Bengal Security (Re-enactment and Validation) Ordinance, 1966; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences.

(Applicable to the State of West Bengal only)

**M.H.A. Notification No. 25/3/60- AVD-II dated 01.04.1964.**

2. Offence punishable under sections 161, 162, 163, 164, 165, 166, 167, 168, 169, 182, 193, 197, 198, 201, 204, 211, 218, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 246, 247, 248, 249, 250, 251, 252, 253, 254, 258, 259, 260, 261, 262, 263, 263A, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 403, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 465, 466, 467, 468, 471, 472, 473, 474, 475, 477A, 489A, 489B, 489C & 489D of the Jammu and Kashmir State Ranbir Penal Code, 1989 (12 of 1989).
3. Offences punishable under the Jammu & Kashmir State Prevention of Corruption Act, 2006 (13 of 2006).
4. Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in items 2 and 3 above any other offences committed in the course of the same transaction arising out of the same facts.

(Applicable to the State of Jammu and Kashmir only).

**M.H.A. Notification No. 228/8/67 AVD-II dated 02.01.1969.**

Offences punishable under sections 47 and 55 of the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act 2 of 1915); and

attempts, abetments and conspiracies in relation to or in connection with the one or more of the offences and any other offences committed in the course of the same transaction arising out of the same facts.

(Applicable to the States of Bihar and Orissa only).

**M.H.A. Notification No. 228/3/69 AVD-II dated 24.10.1969.**

Offences punishable under sections 5.6.9 and 10 of the Assam Opium Prohibition Act, 1947; and

attempts, abetments and conspiracies in relation to or in connection with the one or more of these offences mentioned above and any other offences committed in the course of the same transaction arising out of the same facts.

(Applicable to the State of Assam only)

GROUP D. OFFENCES IN WHICH JURISDICTION OF THE DELHI SPECIAL POLICE ESTABLISHMENT HAS NOT BEEN EXTENDED BY A GENERAL ORDER TO ANY STATE AND WHICH CAN BE INVESTIGATED BY THEM IN THE UNION TERRITORIES ONLY.

**I. M.H.A Notification No.228/5/65-AVD-II, dated 26-6-1965**

Offences punishable under sections 13,27 and 28 of the Drugs and Cosmetics Act,1940 (23 of 1940)

Offences punishable under section 16 of the Preventions of Adulteration of Food Act, 1954; and

attempts abetments and conspiracies in relation to or in connection with these offences and any other offences committed in the course of the same transaction arising out of the same facts.

**II. M.H.A Notification No.228/1/66-AVD-II dated 1-3-1966 read, with their Notification No.228/1/68-AVD-II(I), dated 18-2-1968.**

Offences punishable under one or more the following section of the Indian Penal Code ,1860(45 of 1860) namely:- Sections 302,303,304,304-A and 307 & 308 ; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**III. M.H.A Notification No.228/1/70-AVD-II, dated 13.2.1970**

Offences punishable under Sections 148,149 and 452 of the Indian Penal Code, 1860 (45 of 1860) ; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**IV. Department of Personnel Notification No.228/8/70-AVD-II, dated 7-9-1970**

Offences punishable under Sections 147,336 and 342 of the Indian Penal Code, 1860 (45 of 1860) ; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**V. Department of Personnel Notification No.228/9/70-AVD-II, dated 19-12-1970**

Offences punishable under Sections 114 and 456 of the Indian Penal Code, 1860 (45 of 1860) ; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**VI. Department of Personnel Notification No.228/4/71-AVD-II, dated 27-3-1971.**

Offences punishable under Sections 285,286,426 and 436 of the Indian Penal Code, 1860 (45 of 1860) ; and

attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**VII. Department of Personnel Notification No.228/2/71-AVD-II, dated 21-4-1971**

Offences punishable under Sections 2 of the Criminal Law Act, 1961(28 of 1961) ; and  
attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**VIII. Department of Personnel Notification No.228/6/71-AVD-II, dated 15-5-1971.**

Offences punishable under Sections 435 of the Indian Penal Code, 1860 (45 of 1860) ; and  
attempts, abetments and conspiracies in relation to or in connection with of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**IX. Department of Personnel Notification No.228/9/71-AVD-II, dated 5-6-1971.**

Offences punishable under Sections 279 or sections 304-A of both the Indian Penal Code, 1860 (45 of 1860) ; and  
attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**X. Department of Personnel Notification No.228/10/71-AVD-II, dated 9-7-1971.**

Offences punishable under Sections 323,324,354,379 and 399 of the Indian Penal Code, 1860 (45 of 1860)

Offences punishable under Sections 25 and 26 of the Arms Act, 1959 (54 of 1959)

Offences punishable under Sections 4 and 5 of the Explosive substance Act,1908 (6 of 1908)

14. Attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in items 11,12 and 13 and any other offence committed in the course of the same transaction arising out of the same facts.

**XI. Department of Personnel Notification No.228/5/72-AVD-II, dated 21-4-1972.**

Offences punishable under Sections 338 of the Indian Penal Code, 1860 (45 of 1860) ; and  
attempts, abetments and conspiracies in relation to or in connection with any of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XII. Department of Personnel Notification No.228/8/72-AVD-II, dated 2-5-1972.**

16. Offences punishable under Sections 337,427,440and 454 of the Indian Penal Code, 1860 (45 of 1860) ; and  
attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XIII. Department of Personnel Notification No.228/1/69-AVD-II, dated 7-6-1972.**

Offences under Sections 85,86,87,88,89,90,91 and 96 of the Gold (Control) Act,1968 (45 of 1968) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XIV. Department of Personnel Notification No.228/9/72-AVD-II, dated 14-6-1972.**

18. Offences punishable under Sections 5 of the Antiquities (Export Control) Act,1947 (31 of 1947) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XV. Department of Personnel Notification No.228/7/72-AVD-II, dated 2-7-1972.**

Offences punishable under Sections 363,363-A, 364 and 365 of the Indian Penal Code, 1860 (45 of 1860) ; and attempts, abetments and conspiracies in relation to or in connection with any of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XVI. Department of Personnel Notification No.228/12/72-AVD-II, dated 25-10-1972.**

Offences punishable under Section 457 of both the Indian Penal Code, 1860 (45 of 1860) ; and attempts, abetments and conspiracies in relation to or in connection with any of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XVII. Department of Personnel Notification No.228/21/72-AVD-II, dated 27-2-1973.**

Offences punishable under Section 188 of the Indian Penal Code, 1860 (45 of 1860) ; and attempts, abetments and conspiracies in relation to or in connection with any of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XVIII. Department of Personnel Notification No.228/9/73-AVD-II, dated 2nd June 1973.**

Offences punishable under Section 394 the Indian Penal Code, 1860 (45 of 1860) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of these offences and any other offence committed in the course of the same transaction arising out of the same facts.

**XIX. Department of Personnel Notification No.228/2/74-AVD-II, dated 23<sup>rd</sup> April 1974.**

23.(a) Offences punishable under the Foreign Exchange Regulation Act,1973 (46 of 1973) attempts, abetments and conspiracies in relation to or in connection with any offence mentioned in clause (a) and any other offence committed in the course of the same transaction arising out of the same facts.

**XX. Department of Personnel Notification No.228/215/75-AVD-II, dated 22<sup>nd</sup> July, 1974.**

- (a) Offences punishable under the Defence of India Act , 1971 (42 of 1971); and the Defence of India Rules 1971.
- (b) attempts, abetments and conspiracies in relation to or in connection with any offence mentioned in clause (a) and any other offence committed in the course of the same transaction arising out of the same facts.

**XXI. Department of Personnel Notification No.228/21/74-AVD-II, dated 22<sup>nd</sup> July 1974.**

- 25(a) Offences punishable under the Atomic energy Act, 1962 (33 of 1962) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of these offences mentioned in clause (a)and any other offence committed in the course of the same transaction arising out of the same facts.

**XXII. Department of Personnel Notification No.228/1/75-AVD-II, dated 7<sup>th</sup> January 1975.**

- 26(a) Offences punishable under section 3 the Explosive substance Act 1980 (6 of 1908)
- 27(b) Offences punishable under section 120-B of the Indian Penal Code, 1860 (45 of 1860):
- (C) attempts, abetments and conspiracies in relation to or in connection with any offences, mentioned in clause (a) and (b) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXIII. Department of Personnel Notification No.228/26/74-AVD-II,dated 21<sup>st</sup> February 1975.**

- 28(a) Offences punishable under sections 333, 353, 395, 396, 397, 504, 506 of the Indian Penal Code, 1860 ( 45 of 1860) ; and attempts, abetments and conspiracies in relation to or in connection with any offence mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXIV. Department of Personnel Notification No.228/13/75-AVD-II, dated 19<sup>th</sup> August 1975.**

- 29(a) Offences punishable under the Additional Emoluments (Compulsory Deposit) Act, 1974 (37 of 1974 and attempts, abetments and conspiracies in relation to or in connection with any offence mentioned in clause (a)and any other offence committed in the course of the same transaction arising out of the same facts.

**XXV. Department of Personnel Notification No.228/3/75-AVD-II, dated 28<sup>th</sup> August 1975.**

- 30(a) Offences punishable under section 35 of the Gift Act, 1958 (18 of 1958);
- 31(b) Offences punishable under section 36 of the Wealth Tax Act. 1957 (27 of 1957);

**XXVI. Department of Personnel Notification No.228/1/75-AVD-II, dated 15<sup>th</sup> September 1975.**

- 32(a) Offences punishable under section 27 of the Arms Act, 1959 (54 of 1959) ;  
attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXVII. Department of Personnel Notification No.228/4/76-AVD-II, dated 23<sup>rd</sup> March 1976.**

- 33(a) Offences punishable under sub section (3) of section 5 and section 12 of the Indian Explosive Act. 1884 (4 of 1984) ; and  
34(b) Offences punishable under section 6 of the Explosive substances act, 1908 (6 of 1908);

attempts, abetments and conspiracies in relation to or in connection with one or more or the offences mentioned in clause (a) and (b) and any other offence committed in the course of the same transaction arising out of the same facts.

**XXVIII. Department of Personnel Notification No.228/11/76-AVD-II, dated 25<sup>th</sup> July 1976.**

- 35(a) Offences punishable under sections 121, 121-A and 122 the Indian Penal, Code 1980 (43 of 1980);  
attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXIX. Department of Personnel Notification No.228/18/76-AVD-II, dated 26<sup>th</sup> July 1976.**

- 36(a) Offences punishable under section 431 of Indian Penal Code, 1860 (45 of 1860) ;  
37 (b) Offences punishable under section 127 of the Indian Railways Act, 1890 (9 of 1890)  
(C) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) and (b) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXX. Department of Personnel Notification No.228/13/76-AVD-II, dated 13<sup>th</sup> September 1976.**

- 38(a) Offences punishable under section 25 of the Antiquities and Art Treasures Act, 1972 (52 of 1972)  
attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXI. Department of Personnel Notification No.228/1/77-AVD-II, dated 10<sup>th</sup> February 1977.**

- 39(a) Offences punishable under section 509 of the Indian Penal Code, 1860 (45 of 1860);  
(b) attempts, abetments and conspiracies in relation to or in connection with one or more of these offences mentioned in clause (a) above

and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXII. Department of Personnel Notification No.228/7/77-AVD-II,dated 4<sup>th</sup> June 1977.**

- 40(a) Offences punishable under sections 220 and 344 of the Indian Penal Code 1860 (45 of 1860):  
attempts, abetments and conspiracies in relation to or in connection with one or more of these offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXIII. Department of Personnel Notification No.228/9/77-AVD-II,dated 19<sup>th</sup> September 1977.**

- 41(a) Offences punishable under section 293-A of the Companies Act, 1956 (1 of 1956);  
attempts, abetments and conspiracies in relation to or in connection with any of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXIV. Department of Personnel Notification No.228/13/77-AVD-II,dated 9<sup>th</sup> December 1977.**

- 42(a) Offences punishable under section 447 of the Indian Penal Code, 1860, (45 of 1860)  
(b) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXV. Department of Personnel Notification No.228/11/78-AVD-II, dated 12<sup>th</sup> July 1972.**

- 43(a) Offences punishable under section 112 of the Motor Vehicles Act, 1939 (4 of 1939);  
44(a) Offences punishable under section 40 of the Indian Electricity Act, 1910 (9 of 1910) ;  
(b) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) & (b) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXVI. Department of Personnel Notification No.228/12/78-AVD-II, dated 18<sup>th</sup> July ,1978.**

- 45(a) Offences punishable under section 186, 189 and 443 of the Indian Penal Code, 1860 (45 of 1860); and  
attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXVII. Department of Personnel Notification No.228/3/75-AVD-II, dated 31<sup>st</sup> July 1978.**

- 46(a) Offences punishable under section 35-A, 35-D ,35-E and 35-F of the Wealth Tax Act, 1957 (27 of 1957) ; and  
47(b) Offences punishable under section 276-C of the Income Tax Act,

1961 (43 of 1961);and

- 47(c) attempts, abetments and conspiracies in relation to or in connection with any of the offence mentioned in clause (a) and (b) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXVIII. Department of Personnel Notification No.228/3/78-AVD-II, dated 7<sup>th</sup> October 1978.**

- 48(a) Offences punishable under section 25 of the General Insurance Business (Nationalization) Act 1972 (57 of 1972) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XXXIX. Department of Personnel Notification No.228/13/76-AVD-II, dated 22<sup>nd</sup> November 1978.**

- 49(a) Offences punishable under section 25 of the Antiquities and art Treasures Act ,1972 (52 of 1972) ; and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XL. Department of Personnel Notification No.228/9/79-AVD-II, dated 17<sup>th</sup> July 1979.**

- 50(a) Offences punishable under sections 277,325,332,392,398 and 495 of the Indian Penal Code 1860 (45 of 1860) ; and  
51(b) offences punishable under section 120 of the Indian Railways Act 1890 (9 of 1890);  
(c) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) and (b) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XLI. Department of Personnel Notification No.228/11/79-AVD-II, dated 8<sup>th</sup> November 1979.**

- 52(a) Offences punishable under section 68-A of the Companies act 1956 (1 of 1956) :  
attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

**XLII. Department of Personnel Notification No.228/14/79-AVD-II, dated 21<sup>st</sup> November 1979.**

- 53(a) Offences punishable under section 376 of the Indian Penal Code 1860 (45 of 1860);  
attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction arising out of the same facts.

No.4/1/84-I Vig.(I)

From

Financial Commissioner and secretary to Government,  
Haryana, Vigilance Department.

To

All Heads of Departments,  
Commissioners Ambala and Hisar Divisions and  
All the Deputy Commissioners in Haryana.

The registrar, Punjab and Haryana High Court,  
Chandigarh.

Dated Chandigarh, the 18<sup>th</sup> June 1984.

Subject: Sanction for prosecution to accused officials/officers of various  
Government Departments.

Sir,

I am directed to invite your attention to the subject noted above and to say that a number of Criminal cases are pending with the State Vigilance Bureau, Haryana as necessary sanction for prosecution from the Government/Heads of Departments concerned have not so far been received. Most of these cases relate to raid cases wherein accused persons were caught red handed. In normal course competent Law Court i.e District Special Judge is to decide whether an accused is guilty or not. Delay in issuing sanction for prosecution leads to delay in submission of the challan in the courts. This spoils the cases as PWs are either won over by the accused in due time or they lose interest in the case. This results into failure of a case, which is a serious matter.

2. It is, therefore, requested that it may kindly be ensured that necessary sanction for prosecution is issued to the Director, State Vigilance Bureau, Haryana without any delay.

Yours faithfully,

Sd/-

Joint Secretary, Vigilance  
for Financial Commissioner and Secretary  
to Government, Haryana, Vigilance Department.

Copies forwarded to the :-

All Financial Commissioners, Haryana.

All Administrative secretaries to Government, Haryana for information and  
necessary action.

Sd/-

Joint Secretary, Vigilance  
for Financial Commissioner and Secretary  
to Government, Haryana, Vigilance Department.

To  
Financial Commissioners, Haryana.  
All Administrative Secretaries to Government, Haryana.

U.O No.4/1/84-I Vig(I) dated the 18th June ,1984.

No.4/1/84-I Vig(I) dated the 18th June ,1984.

A copy is forwarded to the Director, State Vigilance Bureau, Haryana, Chandigarh with reference to his D.O No.8155 dated 16<sup>th</sup> May,1984 for information and necessary action.

Yours faithfully.

Sd/-  
Joint Secretary, Vigilance  
for Financial Commissioner and Secretary  
to Government, Haryana, Vigilance Department.

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fnukad 11 ekpl 1985

fo"k; %& Sanction for prosecution against delinquent official(s) officer(s) of  
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fnukđ 11 ekpZ 1989

fo"k; %& Sanction for prosecution against delinquent official/officers (s) of various Government Departments.

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djus ea vuko'; d ngH gks jgh gš A bl ds vfrfjDr ; g Hkh crk; k x; k gš fd  
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muds ikl vk; a rks os mlgs viuk i wKz l g; kx l gk; rk inku djæ A l jdkj ds  
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 pk&dl h foHkkx A  
 , d i fr I Hkh foRrk; Ør@i/zkku I fpo rFkk vk; Ør , oa i z kkl dh;  
 I fpo]gfj; k.kk I jdkj dh I p'ukFkz , oa vko' ; d dk; bkgh grwHksth tkrh gSA

I jdkj] gLrk@&  
 I fpo]pk&dl h]  
 d'r%e[; I fpo]gfj; k.kk  
 I jdkj] pk&dl h foHkkx A  
 I ok ea  
 1- I Hkh foRrk; Ør@i/zkku I fpo]gfj; k.kk I jdkj]  
 2-I Hkh vk; Ør , oa i z kkl dh; ]gfj; k.kk I jdkj A

v'kk% d&kd 4@1@84&1pk&1½ fnuk& 11  
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, d i fr gfj; k.kk jkT; ds I Hkh i z l /kd funs'kd]ckMz@dkj i kjs'ku  
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, d i fr funs'kd]jkT; pk&dl h C; y'k]gfj; k.kk I h&10 I DVj &6  
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forrk; Ør%g% fpo]  
gfj; k.kk l jdkj]pk&l h foHkkx A

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- 1- I Hkh foHkkxk/; {k vk; Ør]vEckyk e.My rFkk gfj; k.kk jkT; ds mik; ØrA
- 2- jftLVkj] i atkc , oa gfj; k.kk mPp U; k; ky; rFkk gfj; k.kk jkT; ftyk , oa l S ku U; k; k/kh'kA fnukad p.Mhx< 13-4-72

fo"k; %& fj'or[kkj l jdkjh deþkfj; ka ij ?kk r yxkus dh uhfr A

egkn; ]

ep's funð k gqk gS eð vki dk /; ku mij fn; s fo"k; ij pk&l h foHkkx ds i = l [; k 2273&1pk%1%&70@23313@, fnukad 1 fl rEcj 1970 dh vkj fnykÅ vkj ; g crkÅ fd jkT; l jdkj us fj'or[kkj l jdkjh deþkfj; ka ij fo'k'sk tkp vfHkdj.k }kj k Nki s ekjus ds ekeyka ij fQj fopkj fd; k gS rFkk ; g fu.kz fy; k x; k gS fd bl ckjs ea fuEufyf[kr Bkd mik; fd; s tk, %&

¼-½ jkT; e[; ky; ds vjktif=r deþkfj; ka ij Nki s ekjus ds fy; s funð kd]fo'k'sk tkp vfHkdj.k vius veys dks funð k nus dfy; s l eFkZ gksx] i jUrq , d s funð k nus l s i wZ og l Ec} foHkkxk/; {k l s l ykg djæx ½-½ fo'k'sk tkp vfHkdj.k ds vf/kdkjh ftUgs Nki s ekjus ds fy; s dkumu }kj k vf/kdkj fn; k x; k %Authorised) gS {k= (Fiel d) ea dke djus okys vjktif=r l jdkjh deþkfj; ka ds l Ecl/k ea , d k djus ds fy; s l eFkZ gksx] i jUrq bl iðkj ds Nki s ekjus l s igys ml ftys ds mik; Ør dh fo'k'sk vkKk %pecific permission) iklr djæx A

¼-½ jktif=r deþkfj; ka ij Nki s ekjus ds vkn'sk l fpo]gfj; k.kk l jdkj]pk&l h foHkkx }kj k funð kd fo'k'sk tkp vfHkdj.k dks fn; s tk, xa A vkbZ l h-, l -]vkbZ, - , l - rFkk , p-l h-, l - %dk; Zdkjh 'kk[kk½ vf/kdkfj; ka ij Nki s ekjus ds vkn'sk nus l s igys l fpo]pk&l h foHkkx]e[; l fpo dk i wZ vupknu %Prior approvd ) iklr djæx A vkbZ l h-, l -vf/kdkfj; ka ij Nki s ekjus l s i wZ l fpo]pk&l h l fpo]xg foHkkx l s vupknu %Prior approvd ) iklr djæx A

¼-½ ftyk rFkk vfrfjDr ftyk l S ku U; k; k/kh'kka rFkk , p-l h-, l - %U; kf; d 'kk[kk½ ds l nL; ka ij Nki k ekjus l s i wZ funð kd]fo'k'sk tkp vfHkdj.k gkbZ dkVZ dk vupknu igys iklr djæx A ftyk , oa l S ku U; k; ky; ka ea dke dj jgs vjktif=r veys ij Nki s ekjus ds fy; s gdnkj pk&l h foHkkx dk vf/kdkjh ftyk , oa l S ku U; k; k/kh'k ; k ml dh vuq fLFkr ea veys i wZ U; kf; d vf/kdkjh %Next Senior Judicial Officer) l s i wZ vupknu iklr djæx A

2- ; g fQj dgk tkrk gS fd mi; Ør dk; Zkgh djrs l e; ; g /; ku jga fd bl ea fdl h dks rax u fd; k tk, rFkk Nki s døy l Hkh ekjs tk, a tc fo'k'sk f'kdk; r Hkh feyh gks ojuk ugh A bl ds bZykok fdl h Hkh gkykr ea Nki s ekjus dh

vkKk nus ds l eFkZ %competent) i kf/kdkfj; ka ds vupknu dh dYiuk dj  
cBuk Bhd u gksxk A , s i kf/kdkjh; ka dks Hkh dk; k; j vupknu %Ex.-post facto  
nction) nus dh vkKk ugh gksxhA

3- ; g vujksk gS fd ; s fgnk; ra tks l Hkh de;pkfj; ka ftu ea iatkc , oa  
gfj; k.kk ds gkbZ dksZ ds v/khu dk; Z djus okys de;pkjh Hkh 'kkfey g\$ij ykxw  
gkrs gS dks l upukFkZ , oa i kyukFkZ l Hkh l Ec} vf/kdkfj; ka , oa de;pkfj; ka ds /; ku  
ea yk, a tk, A

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mi l fpo pksd l h  
d'r% foRrk; Or xg , oa l fpo]  
gfj; k.kk l jdkj] pksd l h

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3480 pksd l h fnukd 9-9-70ds l UnHkZ ea l upukFkZ , o vko' ; d dk; bkgH ds fy; s  
Hksth tkrh gS A

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gfj; k.kk l jdkj] pksd l h

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- 1- gfj; k.kk ea l Hkh foRrk; Orka
- 2- e[; l fpo]gfj; k.kk l jdkj rFkk
- 3- gfj; k.kk l jdkj ds l Hkh iz kkl fud l fpoka dks l upukFkZ rFkk vko' ; d  
dk; bkgH ds fy; s Hksth tkrh gS A

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mi l fpo pksd l h  
d'r% foRrk; Or xg , oa l fpo]  
gfj; k.kk l jdkj] pksd l h

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- 1- l Hkh foRrk; Or]gfj; k.kk A
- 2- e[; l fpo]gfj; k.kk l jdkj rFkk
- 3- l Hkh iz kkl fud l fpo]gfj; k.kk l jdkj A

v'kk% d;kd 1244&@pk\$11%72@

fnukd p.Mhx< 13-4-72

fo"K; %& Anonymous f'kdk; r dk fui Vku A

D; k foRrk; Ør jktLo]gfj; k.kk rFkk gfj; k.kk ds I Hkh iz kkl dh;  
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tkjh fd; k x; k Fkk½ ds vuq kj I Hkh , ukfuel f'kdk; rka dks j }@fMLVjks fd; k  
tkuk gkrk gS A , s h f'kdk; rka ds ckjs pksdI h foHkkx ds ifji= dækd  
2602&ch¼¼&67@10001] fnukad 17-6-67 ds vuqU/k ds vuq kj tks uhfr vi ukbz  
tkrh gS ml ea Hkh , ukfuel f'kdk; rs I k/kkj.kr; k j }@fMI Vjks dh tkrh gS A  
f'kdk; rdrkZ ds vkerkj ij vi us vkjks ka dh i f"V ea gYQukek Hksth ds fy; s  
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, ukfuel f'kdk; rka ds ckjs rQrh'k@tkp tkjh djok I drs gS A

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foHkkx ea I fpoky; Lrj ij voj I fpo]pksdI h foHkkx ds v/khu , d fo'kSk I Sy  
cukus dk fu.kZ; fy; k gS ; g Hkh fu.kZ; fy; k x; kgS fd tks Hkh , ukfuel f'kdk; ra  
fdI h Hkh foHkkx ea ; k mPp Lrj ij i klr gka rks mudk fui Vku oa Lo; a u dja  
vfir q; s f'kdk; ra eny; i ea voj I fpo]pksdI h ds uke pksdI h foHkkx ea cuk,  
x; s dffkr I Sy dks vx f"kr dj nh tk, A bu f'kdk; rka ij tks Hkh dk; bkgH dh  
tkuh gksxh] og bl I sy }kj k gh dh tk; k djsxh A

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gfj; k.kk I jdkj]  
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foRrk; Ør jktLo]gfj; k.kkA  
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v'kk% dækd 5476&1pk&1&74 fnukad 7-11-74  
dækd 5476&1pkS ¼¼&74@26457 fnukad 7-11-74  
, d ifr fuEufyf[kr dks I puk rFkk vko' ; d dk; bkgH gsrw Hksth tkrh gS

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- 1- gfj; k.kk jkT; ds foHkkxk/; {k}vk; Ør vEcky rFkk fgl kj e.My A  
I Hkh mi k; Ør]mi e.My vf/kdkj h¼¼ foy½ gfj; k.kk A
- 2- jftLVkj i tkc , oa gfj; k.kk gkbZ dk¼¼ A ftyk rFkk I = U; k; k/kh'k  
mul s vuq ks'k gS fd tks , ukfuel f'kdk; rs foHkkxka }kj k Hksth tk, ml ds  
I kFk I yaXu ifr; ka ea I puk Hkh Hksth tk, rkfd f'kdk; rka ds fui Vku ea I fo/kk  
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fo"K; %& , ukfuel @fI MkfueI f'kdk; rka dk fui Vku A  
D; k foRrk; Ør jktLo]gfj; k.kk I jdkj rFkk gfj; k.kk ds I Hkh  
iz kkl dh; I fpo di; k mijkØr fo"K; ij pksdI h foHkkx ds v'kk dækd

5476&1pk&1&74 fnukad 7-11-74 rFkk v'kk d&ad 1449&1pk&1&75 fnukad 23-5-1975 dh vkj /; ku nxa \

2- bl I Ecu/k ea fopkj fd;k x;k gS vkj fu.kz fy;k x;k gS fd I nfHkr i = }kjk tkjh dh xbz fgnk; raftu ds vud kj fdl h Hkh foHkkx ea fdl h Hkh Lrj ij iklr gkus okys (Anonymous) vkj Pseudonymous f'kdk; ra p&dl h foHkkx ea cuk; s x; s fo'k&k I sy dks Hksth tk jgh g\$ okfi I ys yh tk; s A vF&r Hkfo"; ea bu fgnk; rka ds vud kj bl izdkj ds f'kdk; ra p&dl h foHkkx ds fo'k&k I sy dks u Hksth tk; s vkj mudk fuiVku vius Lrj ij gh dj fy;k tk, A ; fn foHkkxka ea , d h iklr gkus okyh f'kdk; rka ea dkbZ fo'k&k Verifi bl e data nsj [kk gks vkj iz'kkl dh; foHkkx ml I Ecu/k ea p&dl h foHkkx }kjk tkp djokus dh vko'; drk I e>s rks viuh fl Qkfj'k ds I kFk f'kdk; r p&dl h foHkkx dks tkp grwHkst nh tk, A

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mi I fpo p&dl hj  
dir% I fpo]gfj ; k.kk I jdkj]p&dl h

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- 1- foRrk; Dr jktLo]gfj ; k.kk]
- 2- gfj ; k.kk ds I Hkh iz'kkl dh; I fpo A

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- 1- gfj ; k.kk jkT; ds foHkkxk/; {k}vk; Dr vEcky rFkk fgl kj e.My A I Hkh mi k; Dr]mi e.My vf/kdkj h/I foy% gfj ; k.kk A
- 2- jftLVkj i tkc , oa gfj ; k.kk gkbZ dks/I A ftyk rFkk I = U; k; k/kh'k A

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vk; Ør , oa l fpo]gfj ; k.kk l jdkj]pkdl h foHkkx A

- 1- gfj ; k.kk jkT; ds l Hkh foHkkxk/; {k]vEcky rFkk fgl kjje.Myka ds deh' kujA
- 2- jkT; ds l Hkh mik; Ør rFkk ftyk , oa l = U; k; k/kh'k vkj jftLVkj i atkc , oa gfj ; k.kk mPp U; k; ky; ] p.Mhx< A

fo"k; %& egkn; ]

fnukad p.Mhx< 27-11-1979 foHkkxk/; {kka rFkk dk; k; y; ka v/; {kka }kj k jkT; pkdl h C; jks ds vf/kdkfj; ka dks tkp ea l g; ks u nus ckjs ea A

ep's fun'k gqvk gS fd ea vki dk /; ku mi jkØr fo"k; ij gfj ; k.kk l jdkj ds i = dakd 3710 pk%1½&67@17423 fnukad 14-9-1967 %i fr l y'ku g% dh vkj fnykrs gq vujks'k da fd ik; % ns[kus ea vk; k gS fd jkT; pkdl h C; jks gfj ; k.kk ds vuq'kkuf vf/kdkfj; ka dks C; jks }kj k tkp/khu ekeyka ds fjdkMZ mi yC/k djokus ea foHkkx i wkZ l g; ks ugha n's gS'fo'ks'kdj mu i fjLFkfr; ka ea tcfD mlgh vkjka ka ds ckjs ea foHkkx ds }kj k vi us Lrj ij i kjfEHkd foHkkxh; tkp dh tk jgh gA

bl l EclU/k ea fu.kz; fy; k x; k gS fd fun'skd] jkT; pkdl h C; jks ds vf/kdkfj; ka dks tkp/khu ekeyka dk fjdkMZ bR; kfn mi yC/k djokus ea i wkZ l g; ks fn; k tk; s A ; fn mlgh ekeyka ea foHkkxh; Lrj ij ¼-----ekeyka ea NkMdj tgka i atkc fl foy l ok; a ¼n.M rFkk vihy'fu; ekoyh 1952 ds fu; e&7 ds v/khu foHkkx }kj k tkp vf/kdkjh fu; Ør fd; k tk p'pk gk% i kjfEHkd tkp dh tk jgh rks foHkkx }kj k ; g tkp vfoyc cln dj nh tk; s rFkk vi f'kr ekeyka l s l EclU/kr fjdkMZ@iys[k jkT; ' pkdl h C; jks ds vuq'kkuf/kdkjh dks rjUr mi yC/k djok fn; k tk; s tc Hkh bl ckjs ea mu l s l Ei dZ fd; k tk, A

2- vr% vki l s vujks'k gS fd bu fgnk; rka dks n'<rki wbd vujkyuk gsrw vi us v/khuLFk vf/kdkfj; ka@de]pkfj; ka ds /; ku ea yk fn; k tk; s vkj mlgs ; g Li"V dj fn; k tk, fd mi jkØr vuq's'ka dh mYy'kuk dks xEHkjrk i wbd fy; k tk; sxk A

gLrk@& voj l fpo pkdl h] dir% vk; Ør , oa l fpo]gfj ; k.kk l jdkj] pkdl h foHkkx A fnukad 27-11-1979

v'kk% dakd 1@32@79&1pk%1½

gS A , d i fr funs' kd] j k T; p k S d l h C; j k j g f j ; k. k k d k s l p u k F k z v x f " k r

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v o j l f p o p k S d l h ]  
d i r % v k ; Ø r , o a l f p o ] g f j ; k. k k l j d k j ]  
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1- f o R r k ; Ø r , o a l f p o ] g f j ; k. k k l j d k j ] j k t L o f o H k k x r F k k f o R r k ; Ø r , o a  
v f r f j D r e d ; l f p o ] g f j ; k. k k l j d k j A

2- g f j ; k. k k l j d k j d s l H k h i z k k l d h ; l f p o k a d k s l p u k F k z g r w v x f " k r g S A

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1- f o R r k ; Ø r , o a l f p o ] g f j ; k. k k l j d k j ] j k t L o f o H k k x r F k k  
f o R r k ; Ø r , o a v f r f j D r e d ; l f p o ] g f j ; k. k k l j d k j

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2- g f j ; k. k k l j d k j d s l H k h i z k k l d h ; l f p o A

v ' k k % d e k d 21@32@79&1p k S d l h

f n u k d 27-11-1979

No. 1/15/78-I Vig. (1)

From

The Financial Commissioner and Secretary to  
Government, Haryana, Vigilance Department.

To

Commissioners of Ambala and Hisar Divisions.  
All Heads of Departments in the State.  
All the Deputy Commissioners.  
Registrar, Punjab and Haryana High Court and all the District and  
Sessions Judges in Haryana.

Dated, Chandigarh, the 25<sup>th</sup> January, 1983.

Subject:- Assistance by Gazetted Officers in traps/raids conducted by the  
Vigilance Department.

Sir,

I am directed to address you on the subject noted above and to say that it has come to the notice of Government that Government servants, particularly gazetted officers, are evasive when they are approached by the Vigilance Department officers for assisting or witnessing in traps/raids organized by them. Government wish to state clearly that they attach the utmost importance to successful investigation/prosecution of cases of corruption. And for this purpose, expect all Government servants including gazetted officers of cooperate fully with the Vigilance Department when they are approached for help. The officers of the Vigilance Department are also being instructed to present a copy of this letter to an officer who is approached by them for assistance. You are requested to bring this to the notice of all officers working under your administrative control for compliance.

The receipt of this letter may please be acknowledged.

Yours faithfully,

Under Secretary, Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department.

No. 1/15/78-I Vig. (1)

Dated, Chandigarh, the 25<sup>th</sup> January, 1983.

A copy is forwarded to the Director, State Vigilance Bureau, Haryana, for information and necessary action with reference to his D.O. letter No. 13189/SVB(H), dated 2-11-1982.

Under Secretary, Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department.

A copy is forwarded to all the Administrative Secretaries to Government, Haryana, for information and necessary action.

Under Secretary, Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department.

To

All the Administrative Secretaries to Govt., Haryana. U.O. No. 1/15/78-I Vig. (1) Dated, Chandigarh, the 25<sup>th</sup> January, 1983.

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jKT; ds l Hkh foHkkxk/; {kA  
jKT; ds l Hkh mik; ØrA  
jftLVkj iatkc rFkk gfj ; k.kk mPPk U; k; ky; rFkk jKT; ds l Hkh  
fTyk rFkk l = U; k; k/kh"KA

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jktif=r vf/kdkjh pk&l h foHkkx ds vugks'k ij muds }kjk vk; kft' r fd; s x; s  
1/4Trps'ra d½ ea l g; kx nus o mlga foVuS djus ea VkyeVksy djrs gA ljdkj  
; g Li'V djrh gS og jMt@VSI ds l Qy vuq akku@l Qy vfHk; kstu dks  
vR; Ur egRoiwZ le>rh gA bl fLFkr ds nf'Vxr ljdkj vius de'pkfj; ka l s  
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Confidential  
No. 4/2/87-I Vig (1)

From

The Financial Commissioner & Secretary to Govt.,  
Haryana Vigilance Department.

To

All Heads of Departments,  
Commissioners, Ambala and Hissar Divisions,  
And all the deputy Commissioners in Haryana.

Subject:- Eradication of corruption-measures regarding.  
Sir,

I am directed to address you on the subject noted above and to say that Government is determined to root out corruption at all levels as early as possible. With this end in view it has been decided that all agencies engaged in eradicating corruption should be fully geared up and new agencies created to ensure early achievement of the objective. It has, therefore, been decided that flying Squads presently in existence should be activated and used frequently. It has also been decided that where Flying Squads do not exist, one Flying Squad may be constituted in each Department at an appropriated level from the existing staff strength. Care should, however, be taken to appoint sufficiently senior officers as heads of the Flying Squads. These Flying Squads should be used for surprise checking of local and field offices. You are, therefore, requested to take immediate further action in the right of this decision for compliance.

2. You are further requested to draw up lists of notoriously corrupt officers/officials and to initiate action for there dismissal/removal/compulsory retirement from service.

3. Recently transfers have been ordered at a sufficiently large scale. There may be some complaints leveling allegations of corruption in regard to transfers. You are requested to look into such complaints quickly at your own level appropriate cases for enquiry to the Vigilance Department.

Please acknowledge receipt of this letter.

Yours Faithfully,

Sd/-

Under Secretary Vigilance,  
For Financial Commissioner & Secy. To Govt.  
Haryana, Vigilance Department.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Govt. Haryana, for information and necessary action.

Sd/-

Under Secretary Vigilance,  
For Financial Commissioner & Secy. To Govt.  
Haryana, Vigilance Department.

To

All the Financial Commissioners/Commissioners and  
Secretaries to Government, Haryana.

U.O. No. 4/2/87-I Vig (1)

Dated Chandigarh, the 14<sup>th</sup> Sept. 1987.

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No. 4/4/90-1Vig. (I)

From

The Chief Secretary to Govt., Haryana,  
Vigilance Department.

To

All Heads of Department in Haryana.  
The Commissioners of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
All Deputy Commissioners in Haryana.  
All Heads of Boards and Corporations in Haryana.

Dated Chandigarh, the 30<sup>th</sup> July, 1990.

Subject:- Constitution of District Vigilance Teams.

Sir,

I am directed to refer to subject noted above and to say that in order to give impetus to derive against corruption and bring about efficiency and effectiveness in administration the Government has decided that Vigilance Teams may be set up in each district consisting of the following officers:-

Additional Deputy Commissioner/Sub-Divisional Officer (Civil)  
(Chairman).

A Deputy Superintendent of Police to be nominated by Superintendent  
of Police (Member).

Officer of the department concerned (Member).

Inspector Vigilance, if required (Member).

2. The District Vigilance Team will make surprise checks on the work and conduct of various departments in the district. Major areas of operation for these vigilance Teams will be as outlined below:-

To check absenteeism and unpunctuality among various officers and officials in the field particularly in schools, Primary Health Centres, Revenue Department offices, Transport, MITC, Public Health, Cooperative Societies including Pilice Chowkis and Thanas. They may also check pendency of work related to major public grievances.

To check tax evasion and bribery cases on sales tax and octroi barriers etc.

To prevent black marketing and profiteering of essential commodities involving a check on ration depots, gas dealers etc.

To look into complaints of use of substandard material and fabrication of muster-rooms in Engineering Department, Forest Department and Panchayati Raj Engineering Organisation.

To check adulteration specially of cold drinks, Pharmaceutical, fertilizers, petrol etc.

To look into corruption and bribery cases among all classes of Government employees where traps have to be laid or raids conducted. However, in such cases the procedure laid down under P.C. Act. And instruction of Vigilance Department, is to be followed. Raid should be done after taking permission from the competent authority.

3. Vigilance Teams should do checking once a week atleast, on regular basis. The District Vigilance Teams should undertake special campaign for a fortnight immediately.

4. The Vigilance Teams are required to prepare inspection reports in triplicate on the same day. The District head of the concerned department should be given a copy of the inspection report for necessary action by the Department. He must report back on the action taken to Deputy Commissioner within three weeks.

5. One copy of the report should also be submitted to Deputy Commissioner concerned who should send a monthly report to the Government in Vigilance Department by 7<sup>th</sup> of every month.

6. Additional Deputy Commissioner/Sub-Divisional Officer (Civil) will have the propogative to keep the destination of the raid or point of checking a secret.

7. Additional Deputy Commissioner/Sub-Divisional Officer (Civil) can also ask any officer of any other department to accompany the Vigilance Team which shall be obligatory for the officer, so requested to do so.

8. Care must be taken while conducting such checking that it is done as per. legal provisions under the various laws like Essential Commodities Act, Prevention of Food Adulteration Act etc. The Additional Deputy Commissioner/Sub-Divisional Officer must ensure that the proper procedure is followed and the competent authority to take action under law should accompany the team. For instance during checking of Ration Shops, supply of essential commodities, the District Food & Supply Controller or Assistant Food and Supply Officer and in cases of adulteration Chief Medical Officer/Senior Medical Officer must be associated as they are empowered to take action under the relevant law.

9. In most of the cases only departmental action would be required. However, if criminal proceedings are necessary Deputy Superintendent of Police/Inspector Vigilance should register the case under the relevant law.

10. Deputy Commissioner should hold meeting once a month to review the progress made.

11. The role of the Vigilance Teams is not to interfere in the functioning of any department or substituting it but to inject dynamism in their activities. The Officers of the various departments are expected to exercise their powers and perform their roles as before. Therefore, Vigilance Teams should associate them during checking. The idea is to make the administrative machinery more effective by occasional checking on the general activities of the departments with the cooperation of the Senior Officers.

12. I am, therefore, to request you to bring the above instruction to the notice of all the officers/officials working in your department so that they are forewarned. District head of the department should be also asked to cooperate with the Vigilance Teams and take effective action at the earliest.

Kindly acknowledge receipt.

Yours faithfully,

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

No. 4/4/90-1 Vig. (1)

dated, Chandigarh, the 30<sup>th</sup> July, 1990.

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh.

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

A copy each is forwarded for information and necessary action to:-

All Financial Commissioners/Commissioners and Secretaries to Government,  
Haryana.

All Administrative Secretaries to Government, Haryana.

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

To

All Financial Commissioners/Commissioners and Secretaries to  
Government, Haryana.

All Administrative Secretaries to Government, Haryana.

U.O. No. 4/4/90-1 Vig. (1)

dated, Chandigarh, the 30<sup>th</sup> July, 1990.

No. 4/4/90-1 Vig (1)

From

The Chief Secretary to Government, Haryana,  
Vigilance Department.

To

All Heads of Department in Haryana.  
The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,  
all Deputy Commissioners in Haryana.  
All Heads of Boards and Corporations in Haryana.

Dated Chandigarh, the 28th November, 1991.

Subject:- Constitution of District Vigilance Teams.

I am directed to refer to the instructions issued by this department vide letter No. 4/4/90-1 Vig. (1) dated 30<sup>th</sup> July, 1990 (copy enclosed) on the subject noted above and to say that it has been noticed that due attention is not being paid to the anti Corruption campaign in the District. Therefore, it has been decided that a fresh thrust be given to the work of Vigilance teams. With this objective the following decisions have been taken:-

Scope of Vigilance teams should be widened to include checking of works of Engineering Department and pilferage of power and water. The Additional Deputy Commissioners be given discretion to associate the officers of the concerned departments of any other technical officer from the Government Department or he may be take the help of the XEN Vigilance in some special cases.

A minimum of 5 checks/inspections/raids be made in a month.  
Deputy Commissioner should conduct at least one such inspection in a month.

It has been observed that the Deputy Commissioners are not sending monthly reports about the activities of the Vigilance Teams. They are directed to monitor its progress very closely and send reports regularly every month.

To add seriousness to the exercise, the activities of the Vigilance teams may be reviewed at the Deputy Commissioners' meetings to be held with the Chief Secretary/Chief Minister.

I am, therefore, to request you to bring the above instruction to the notice of all the officers/officials working in your department for strict compliance.

Kindly acknowledge receipt.

Yours faithfully,

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

No. 4/4/90-1 Vig. (I)

dated Chandigarh, the 28<sup>th</sup> November, 1991

A copy is forwarded for information and necessary action to the Director, State Vigilance Bureau, Haryana, Chandigarh.

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department

No. 4/4/90-1 Vig (1) Dated Chandigarh, the 28th November, 1991

A copy is forwarded to the Joint Secretary to Government, Haryana, Political and Services to take action in respect of item No. V.

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department

A copy is forwarded for information and necessary action to;--

All Financial Commissioners/Commissioners and Secretaries to Government,  
Haryana.

All Administrative Secretaries to Government, Haryana.

Sd./-

Under Secretary, Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department

All Financial Commissioners/Commissioners and Secretaries to Government,  
Haryana.

All Administrative Secretaries to Government, Haryana.

U.O.No. 4/4/90-1Vig (1)

Dated Chanigarh, the 28<sup>th</sup> Nov., 1991.

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## VIGILANCE DEPARTMENT

## Notification

No. 4/2/87-1 Vig. (II)

Dated Chandigarh the 22<sup>nd</sup> September, 1987

The Governor of Haryana is pleased to constitute the State Anti-Corruption Board as under:-

**Constitution**

- |    |   |                   |
|----|---|-------------------|
| 1. | Chief Minister  | Chairman          |
| 2. | Sh. Satdev Singh, Retd., S.P.   | Member            |
| 3. | A retired Judge of the High Court<br>or a Retd. District & Sessions Judge<br>(Notification regarding appointing a suitable person well be issued<br>later.) | Member            |
| 4. | Chief Secretary   | Member            |
| 5. | Principal Secretary to Chief Minister   | Member            |
| 6. | Director General Vigilance, Haryana   | Member            |
| 7. | Secretary, Vigilance  | Member Secretary. |

**Functions**

The main function of the Board will be to periodically review the functioning/performance of the various vigilance agencies in the State and to suggest steps for making them more effective, where necessary.

2. The two non official members mentioned at serial No. 2 & 3 above will be entitled to draw TA/DA as admissible to Class I officers.

Dated Chandigarh,  
The 22<sup>nd</sup> September, 1987.

M.C. GUPTA  
Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

Endst. No. 4/2/87-I Vig (I)

Dated Chandigarh the 22<sup>nd</sup> Sept. 87

A copy is forwarded to the Controller, Printing and Stationery, U.T., Chandigarh with the request that this notification may please be published in the Extra Ordinary issue of the Haryana Government Gazette.

2. Thirty Spare copies of printed notification may also be supplied to this department.

Sd/-  
Under Secretary Vigilance,  
for Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

A copy is forwarded to the Chairman and all the Members of State-Anti-Corruption, Board, Haryana, for information.

Sd/-  
Under Secretary Vigilance,  
for Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

Endst No. 4/2/87-1 Vig (I)

Dated Chandigarh the 22<sup>nd</sup> September, 1987.

A copy is forwarded to all Heads of Departments for information.

Sd/-  
Under Secretary Vigilance,  
for Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

Endst No. 4/2/87-1 Vig (I)

Dated Chandigarh the 22<sup>nd</sup> September, 1987.

A copy is forwarded to the Chairman and all the Members of State Anti-Corruption, Board, Haryana, for information.

Sd/-  
Under Secretary Vigilance,  
for Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Govt., Haryana, for information

Sd/-  
Under Secretary Vigilance,  
for Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

To

All the Financial Commissioners and  
Administrative Secretaries to Govt., Haryana.

Endst No. 4/2/87-I Vig. (I)

Dated Chandigarh the 22<sup>nd</sup> September, 1987.

## Notification

No. 4/2/87-1 Vig. (II)

Dated Chandigarh the 3<sup>rd</sup> November, 1987

The Governor of Haryana is pleased to set up an Implementation Sub-committee of the State Anti-Corruption Board constituted vide Haryana Government Notification No. 4/2/87-1 Vig. (1) dated the 22<sup>nd</sup> September, 1987, as under:-

- |    |   |                   |
|----|---|-------------------|
| 1. | Chief Secretary                           | Chairman          |
| 2. | Secretary Vigilance                       | Member            |
| 3. | Principal Secretary to the Chief Minister | Member            |
| 4. | Sh. Satdev Singh                          | Member-Secretary. |

**Functions**

The main function of the Implementation Sub-committee will be the Scrutiny/investigation of the following types of matters inter-alia through the Chief Minister's Flying Squad:-

- Checking of inventories of PWD Department;
- Checking of inventories of Consumers Stores etc.
- Checking of big projects under construction;
- Review of the Flying Squads of the Departments;
- Investigation of reported cases of bungling in Government purchases; and
- Investigation into cases of officers amassing assets beyond their known means of income.

The information collected by the Member-Secretary through the Flying Squads and otherwise will be put up to the Sub-committee. The Sub-committee will accord approval for conducting raids/surprise inspection on the office/residence of concerned Class-I and II Officers. Such raids will not be conducted by an officers below the rank of Deputy Superintendent of Police. Superintendent of Police, Chief Minister Flying Squad and other officer posted in Flying Squad would function on the advice of the Member-Secretary who would obtain orders from the Implementation Sub-committee of the State Anti-Corruption Board.

Dated Chandigarh,  
The 29<sup>th</sup> Oct., 1987.

M.C. GUPTA  
Finance Commissioners & Secretary to  
Govt. Haryana, Vigilance Department.

Thirty spare copies of the printed notification may also be supplied to this department.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department

No. 4/2/87-1 Vig. (I)

Dated Chandigarh the 3<sup>rd</sup> November, 1987.

A copy is forwarded to the Accountant General, Haryana, (Accounts Wing), Chandigarh for information

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department

No. 4/2/87-1 Vig. (I)

Dated Chandigarh the 3<sup>rd</sup> November, 1987.

A copy is forwarded to all the head of the departments for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department

No. 4/2/87-1 Vig. (I)

Dated Chandigarh the 3<sup>rd</sup> November, 1987.

A copy is forwarded to the Chairman and all the Members of the entation Sub-Committee of the State Anti Corruption Board, Haryana for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Govt., Haryana for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to Govt.,  
Haryana, Vigilance Department

To

All the Financial Commissioners and  
Administrative Secretaries to Govt., Haryana.

No. 4/2/87-1 Vig. (I)

Dated Chandigarh the 3<sup>rd</sup> November, 1987.

HARYANA GOVERNMENT  
VIGILANCE DEPARTMENT  
ORDER

The Government of Haryana is pleased to shift the headquarters of the Member-Secretary, Implementation Sub-committee of the State Anti Corruption Board Haryana constituted vide Govt. Notification No. 4/2/87-1Vig.(1) dated 3.11.87 from Chandigarh to Kurukhetra with immediate effect.

Dated Chandigarh  
the 2nd March 1988  
No. 4/2/87-1Vig.(1)

G.V.GUPTA  
Financial Commissioner and  
Secretary to Govt. Haryana Vigilance Deptt.  
Dated, Chandigarh the 3rd March 1988.

A copy is forwarded to all the Heads of Departments of Haryana Government for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to  
Govt. Haryana, Vigilance Deptt.

No. 4/2/87-1Vig.(1) Dated, Chandigarh the 3rd March 1988.

A copy is forwarded to the Accountant General,( Audit) Haryana, Chandigarh for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to  
Govt. Haryana, Vigilance Deptt.

No. 4/2/87-1Vig.(1) Dated, Chandigarh the 3rd March 1988.

A copy is forwarded to the Chairman and all the Members of the Implementation Sub-Committee of the State Anti Corruption Board, Haryana for information.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to  
Govt. Haryana, Vigilance Deptt.

No. 4/2/87-1Vig.(1) Dated, Chandigarh the 3rd March 1988.

A copy is forwarded to all the Financial Commissioners.

Sd/-  
Under Secretary Vigilance,  
for Financial Commissioner and Secretary to  
Govt. Haryana, Vigilance Deptt.

To

All the Financial Commissioners and  
Administrative Secretaries to Govt., Haryana.

U.O. No. 4/2/87-1Vig.(1)

Dated, Chandigarh, the 3rd March 1988.

HARYANA GOVERNMENT  
VIGILANCE DEPARTMENT

Notification  
The 8<sup>th</sup> February ,1990.

No.. 4/2/87-1Vig.(1):- In supersession of Haryana Government notification No. 4/2/87-1Vig(1) dated the 22nd September 1987,the Governor of Haryana is pleased to reconstitute the state Anti-Corruption Board as under :-

1. Chief Minister	Chairman
2. Chairman,Bureau of Public Enterprises	Member
3. Chief Secretary	Member
4. Principal Secy.to C.M	Member
5. Secretary,Home Deptt.	Member
6. Secretary,E&T Deptt.	Member
7. Secretary Food & Supplies Deptt.	Member
8. Secretary, Irrigation and Power, Deptt.	Member
9. Secretary,P.W.D (B&R)	Member
10. Secretary, P.W.D(Public Health)	Member
11. Director, S.V.B.	Member
12. Kanwar Randip Singh, I.G.P (Retd.)	Executive Member
13. DIG/CM Flying Squad	Member Secretary

**Functions**

The main functions of the Board will be to devise policies and procedures which promote efficiency and eliminate corruption and to periodically review the functioning/performance of various vigilance agencies in the State and to suggest steps for making them more effective. The functions of the Board will also include the review of the policies and procedures which lead to corruption so that corrective steps can be taken in modifying the system.

Apart from the above functions, the Board will also undertake the following activities through C.M.s Flying Squad:-

- (1) Checking of inventories of Public Works Departments and those of Boards & Corporations.
- (2) Checking of inventories of Cooperative Consumer Stores, Sugar Mills, etc.
- (3) Checking of big projects under construction.
- (4) Coordinating and checking of the Vigilance agencies and flying squads in the departments of the Govt. Boards and Corporations.
- (5) Enquiries in to reported cases of bungling in Govt. purchases.
- (6) Enquiry into cases of officers reported to is in possession of pecuniary resources or property disproportionate to their known sources of income.

Kanwar Randip Singh Executive Member,of the Board shall exercise supervision over C.M.'s Flying Squad and also authorise conducting of raids.

The one non official member mentioned at serial No. 12 above will be entitled to draw TA./DA as admissible to class-1 Officers.

KULWANT SINGH,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

Endst. No. 4/2/87-1Vig(1)

dated Chandigarh the 8th Feb.1990

A copy is forwarded to the Controller, Printing and Stationery ,U.T. Chandigarh

with the request that this notification may please be published in the Extra-Ordinary issue of the Haryana Government Gazette.

2. Fifty spare copies of printed notification may also be supplied to this department.

Sd/-  
Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.  
dated Chandigarh the 8th

Endst. No. 4/2/87-1Vig(1)  
Feb.1990

A copy is forwarded to the Accountant General, Haryana(Accounts and Audit Wing)Chandigarh for information.

Sd/-  
Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.  
dated Chandigarh the 8th Feb.1990

Endst. No. 4/2/87-1Vig(1)

A copy is forwarded to all the Heads of Departments for information.

Sd/-  
Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.  
dated Chandigarh the 8th Feb.1990

Endst. No. 4/2/87-1Vig(1)

A copy is forwarded to the Chairman and all the Members of the State Anti-corruption Board, Haryana, for information.

Sd/-  
Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy is forwarded to Financial Commissioner and Secretary to Govt., Haryana, Finance Deptt., for information with reference to their U.O. No. 1(145)-87-4 FGI/377, dated 7.2.90.

Sd/-  
Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

The Financial Commissioner and Secretary to  
Govt., Haryana, Finance Department.

U.O. No. 4/2/87-1Vig.(1)                      dated Chandigarh the 8th Feb.1990

From

The Chief Secretary to Government, Haryana,  
Vigilance Department.

To

1. The Engineer-in-Chief, Irrigation Department, Haryana.
2. The Engineer-in-Chief, P.W.D. (B&R), Haryana.
3. The Engineer-in-Chief, P.W.D. Public Health, Haryana.

Memo No. 46/41/91-3 Vig(II)

Dated Chandigarh, the 22nd July, 1991.

**Subject :- Regarding Special Checking of the works of Engineering Department by the State Vigilance Bureau, Haryana.**

Kindly refer to this Department memo No. 1774-IV(1)-77/724268, dated 2.9.77 on the subject noted above.

2 The matter has been reconsidered by this Department as it has been felt that proper and regular checking of works is not done by the Engineering Departments and the State Vigilance Bureau. There have increasing complaints of corruption, irregularities and use of sub-standard material etc.

3. Checking corruption is first and foremost responsibility of the department. Therefore, it has been decided that :-

(i) Each Engineering Department i.e. P.W.D. (B&R), Public Health and Irrigation & Power will check the works, undertaken by them at the level of Chief Vigilance Officer or at least the Chief Engineers.

(ii) They will conduct sample checking of minimum 10 per cent of the works.

(iii) The Engineer-in-Chief of each Department will, send the report and action taken to this Department every six months through the Administrative Secretary.

4. The Engineer-in-Chief of each department will, send a lists of project undertaken in the last six months in the month of June and January of every year.

5. The State Vigilance Bureau will conduct sample checking of at least two such projects of each Engineering Department every six months i.e. in period of January-June and July-December every year. State Vigilance Bureau will send report as soon as project is checked. All reports should each the Vigilance Department by end of December and June.

Sd/-

Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

A copy is forwarded to :-

1. Financial Commissioner & Secretary to Government, Haryana, Irrigation & Power Department.

2. Commissioner & Secretary to Government, Haryana, P.W.D. (B&R).

3. Commissioner & Secretary to Government, Haryana, P.W.D., Public Health for information and necessary action with reference to this Department U.O. No. 1774-IV(1)-77/24268, dated 2.9.77.

Sd/-

Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

To

1. Financial Commissioner & Secretary to Government, Haryana,

Irrigation and Power Department.

2. Commissioner & Secretary to Government, Haryana, P.W.D (B&R).
3. Commissioner & Secretary to Government, Haryana, P.W.D., (Public Health)

U.O. No. 46/41/91-3 Vig (II)

Dated 22.7.1991

Endst. No. 46/41/91-3 Vig. (II)

Dated 22.7.1991

A copy is forwarded to the Director General, State Vigilance Bureau, Haryana for information and necessary action with reference to Government letter No. 1774-IV(1)-77/24268, dated 2.9.77. He is requested to conduct sample checking of at least two such project of each Engineering Department every six months i.e. in period of January-June and July-December every year and will send report as soon as the project is checked. All reports should reach the Government by end of December and June.

Sd/-

Deputy Secretary Vigilance,  
for Chief Secretary to Government Haryana,  
Vigilance Department.

HARYANA GOVERNMENT  
VIGILANCE DEPARTMENT  
Notification

No. 4/6/2002-1Vig.(1)

Dated Chandigarh, 11th December, 2002

The Governor of Haryana is pleased to constitute an advisory Board in the State Vigilance Bureau, Haryana as under:

- |       |   |                    |
|-------|---|--------------------|
| (i)   | Shri M.S. Malik, IPS, DGP- cum-Director,<br>State Vigilance Bureau, Haryana.                                      | : Chairman         |
| (ii)  | Shri R.R. Sheoran, Engineer-in-Chief,<br>PWD (B&R), Haryana.  | : Member           |
| (iii) | Shri Yudhvir Singh, Additional Excise &<br>Taxation Commissioner, Haryana.  | : Member           |
| (iv)  | Shri B.D. Arora, Chief Accounts Officer,<br>Accounts Training Institute (Nominated by the<br>Finance Department). |                    |
| (v)   | Shri S.P. Tyagi, Senior Accounts Officer,<br>Transport Department (Nominated by the Finance Department).          | : Member           |
| (vi)  | District Attorney, State Vigilance Bureau.  | : Member           |
| (vii) | IGP, State Vigilance Bureau.  | : Member Secretary |

**Functions :-**

The functions of the Board will be as under :-

I. To strengthen and to improve upon the performance of State Vigilance Bureau with a view to ensure the speedy disposal of vigilance and anti-corruption work in accordance with the instructions issued by Government.

II. To collect, assimilate and co-relate information on various irregularities/malpractices/misuse of official machinery in various public offices and in the offices of Boards/Corporations.

III. To render technical assistance/guidance to the State Vigilance Bureau for expeditious finalization of pending enquires/cases, where required.

IV. To monitor the performance of the internal Vigilance System of various Government Departments & Boards/Corporations.

V. To monitor the progress on the implementation of the Government orders/directions issued on the recommendations of State Vigilance Bureau in various enquiries.

2. In addition to the above, the Board shall also ensure expeditious finalization of pending enquiries/cases.

3. The Chairman of the Board shall ensure that the meetings are called at regular intervals so as to render prompt technical assistance.

4. The official Members of the Advisory Board shall work in their official capacity in addition to their present assignments for which they will not be paid any extra remuneration/honorarium.

5. The Headquarter of the Board will be at Chandigarh in the office of Director, State Vigilance Bureau.

6. The procedure for the functioning of the board like the convening of the meeting and taking decision etc. will be worked out by the Chairman in consultation with Members of the Board.

Dated Chandigarh, the  
10th December, 2002

A.N. MATHUR,  
Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1) Dated Chandigarh, the 11th December, 2002

A copy is forwarded to the Controller, Printing and Stationery, U.T., Chandigarh with the request that this Notification may please be published in the Extra-Ordinary issue of the Haryana Government Gazette.

2. Fifty spare copies of printed notification may also be supplied to this Department.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1) Dated Chandigarh, the 11th December, 2002

A copy is forwarded to the Accountant General, Haryana (Accounts and Audit Wings, Chandigarh for information.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

**HARYANA GOVERNMENT**

VIGILANCE DEPARTMENT

**Notification**

The 18th April, 2003

No. 4/6/2002-1 Vig (I)

Dated Chandigarh, the 18th April, 2003.

In partial modification of the State Govt. Notification issued vide No. 4/6/2002-1 Vig (1) dated 11-12-2002, the Governor of Haryana is pleased to appoint Shri Gurjot Singh Malhi, I.P.S., Director State Vigilance bureau, Haryana as Chairman of the State Advisory Board in the State Vigilance bureau in place of Shri M.S. Malik, IPS with immediate effect.

Dated Chandigarh, the  
16th April, 2003

A.N. MATHUR,  
Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1) Dated Chandigarh, the 18th April, 2003

A copy is forwarded to the Controller, Printing and Stationery, Haryana, Chandigarh with the request that this Notification may please be published in the Extra-Ordinary issue of the Haryana Government Gazette.

2. Fifty spare copies of printed Notification may also be supplied to this Department.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 18th April, 2003

A copy is forwarded to the Accountant General, (Accounts)/Accountant General (Audit), Haryana, Chandigarh for information.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 18th April, 2003

A copy is forwarded to all Head of Departments for information.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 18th April, 2003

A copy each is forwarded to the Chairman and all the members of the Advisory Board of State Vigilance Bureau, Haryana for information.

Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1) Dated Chandigarh, the 18th April, 2003

A copy each is forwarded to all the Financial Commissioners and Principal Secretaries/Administrative Secretaries to Government Haryana, for information.

Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

To

All the Financial Commissioners and Principal Secretaries/  
Administrative Secretaries to Govt. Haryana.

U.O. No. 4/6/2002-1 Vig(I)d Dated Chandigarh, the 18th April, 2003.

**HARYAN GOVERNMENT**  
**VIGILANCE DEPARTMENT**  
**Notification**

No. 4/6/2002-1 Vig (I)

Dated Chandigarh, the 30-7-2003

In partial modification of the Stat Govt. Notification issued vide No. 4/6/2002-I Vig(I) dated 18.4.2003 the Governor of Haryana is pleased to appoint Shri M.S. Malik, IPS, Director, State Vigilance Bureau, Haryana as Chairman of the State Advisory Board in the State Vigilance Bureau in place of Shri Gurjot Singh Malhi, IPS with immediate effect.

Dated Chandigarh, the  
28th July, 2003

A.N. MATHUR,  
Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 30.7.2003

A copy is forwarded to the Controller, Printing and Stationery, Haryana Chandigarh with the request that this Notification may please be published in the Extra-Ordinary issue of the Haryana Government Gazette.

2. Fifty spare copies of printed Notification may also be supplied to this Department.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 30.7.2003

A copy if forwarded to the Accountant General, (Accounts)/Accountant General (Audit), Haryana, Chandigarh for information.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 30.7.2003

A copy if forwarded to all Heads of Departments for information.

Sd/-  
Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 30.7.2003

A copy each is forwarded to the Chairman and all the members of the Advisory Board of State Vigilance Bureau, Haryana for information.

Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

Endst. No. 4/6/2002-1 Vig (1)

Dated Chandigarh, the 30.7.2003

A copy is forwarded to all Financial Commissioners and Principal Secretaries/Administrative Secretaries to Government Haryana, for information.

Under Secretary Vigilance,  
for Chief Secretary to Govt. Haryana,  
Vigilance Department.

To

All the Financial Commissioners and Principal Secretaries/  
Administrative Secretaries to Govt., Haryana.

U.O. No. 4/6/2002-1 Vig(I)

Dated Chandigarh, the 30.7.2003.