



स्पीड पोस्ट/ गोपनीय  
केन्द्रीय विद्यालय संगठन(मुख्यालय)

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उपायुक्त/निदेशक  
केन्द्रीय विद्यालय संगठन,  
सभी क्षेत्रीय कार्यालय /जीट

Reg: Guidelines to conduct Preliminary/Fact-Finding Inquiry.

Madam/Sir,

Preliminary/Fact-Finding Inquiry is of seminal importance as any disciplinary case is made or marred by its adherence to laid down objective or otherwise. A shoddy inquiry inconclusive or vague, is likely to result in jeopardising the rule of law. Bringing irrelevant considerations or disregarding relevant ones are also often the reasons attributable to weak disciplinary cases. It is, therefore, incumbent upon anyone assigned with the task to attend to it with objectivity, scrupulously avoiding extraneous considerations and returning an unambiguous report at the earliest. This shall help the Disciplinary Authority determine whether to institute a disciplinary proceeding against the alleged employee(s).

The primary objective of the Preliminary/Fact-finding inquiry is to ascertain whether or not a case exists prima facie about which a conclusive finding must be recorded. Secondly, the role of the alleged delinquent employee(s) should also be elaborated briefly but succinctly. Thirdly, credible evidence, documents, electronic, and physical testimonials, etc. must be taken control of in original with due acknowledgment and sent along with the report. Fourthly, each piece of evidence ought to be linked with a specific act of omission or commission of the alleged delinquent employee(s). The gathering and linking of evidence are of importance.

To achieve the above, objective, the various steps involved in the process and a specimen inquiry report are attached to this letter. You are requested to ensure that all personnel under your jurisdiction are familiarized with them.

Yours faithfully

(Somit Srivastav)

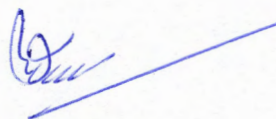
Joint Commissioner(Pers & CVO)

संलग्न: यथोपरि

1. केन्द्रीय विद्यालय संगठन (मु.) के सभी अनुभागों व अधिकारियों को सूचना एवं आवश्यक कार्रवाई हेतु
2. उपायुक्त (शैक्षिक), ईडीपी प्रकोष्ठ को इस अनुरोध के साथ प्रेषित की इस आदेश को केवीएस वेबसाइट पर प्रशासन के तहत उप-शीर्ष 'सतर्कता' में अपलोड किया जाए।
3. गार्ड फाईल ।

## Various Steps in Conducting a Preliminary Inquiry

1. **Appointment of Preliminary Inquiry /Fact-Finding Committee:** A Committee comprising an officer, preferably of a neutral and senior position, is appointed to conduct the inquiry. The Order constituting the Preliminary/Fact-Finding Inquiry should invariably be given to all relevant parties including the accused/delinquent government employee.
  2. **Planning by the Preliminary Inquiry Committee:** The preliminary Inquiry Committee should make a suitable plan to conduct the inquiry and inform all the concerned parties/Venue Authorities in advance to ensure attendance of all concerned on the day of the inquiry.
  3. **Providing gist (not the whole complaint) to the accused employee:** The employee should be informed about the allegations. The employee may be given an opportunity to provide an explanation.
  4. **Procedure to be adopted by PIC:** The Committee should clearly outline the issues involved in the complaint and the objective of the inquiry. It should try to list out relevant documents, witnesses, records, reports, and online content, if any before the commencement of the proceedings. Thereafter, it should interview the witnesses and record their statements, cross-check facts with multiple sources to ensure accuracy and reliability, assess the credibility of each source, and look for corroborating evidence or discrepancies. ***It must be kept in mind that the relevant documents/records are taken on record and unnecessary documents/records which are irrelevant should not be collected and made part of the inquiry report.***
- Apart from the above, the Committee should conduct the inquiry in a neutral and unbiased manner and maintain confidentiality throughout the process and also provide the employee a fair opportunity to respond. The Committee should avoid pre-judging or assuming guilt and should not conduct the inquiry in a casual or hasty manner.
5. **Analysis of the statements and documents/evidence:** The Committee should organize the collected information coherently, corroborate the statements and documents/evidence, and draw logical conclusions based on the facts, avoiding assumptions or unsupported leaps.
  6. **Submission of Report:** A concise report should be prepared incorporating background of the case, Summary of evidence collected, analysis and observations, and conclusion on whether there is a prima facie case.



## **SPECIMEN REPORT – PRELIMINARY/FACT-FINDING INQUIRY**

Name of the Teacher: XYZ, TGT (WE)

Vidyalaya: Kendriya Vidyalaya No. 1

Date of Inquiry:

### **(1) Introduction:**

The committee was directed to conduct a fact-finding inquiry vide letter no. F.12030/2022/1/KVS Admin/2569 dated 30.08.2022 regarding Mr. XYZ, TGT (WE), Kendriya Vidyalaya No. 1. The inquiry pertained to allegations of violations of KVS rules and regulations, defiance of instructions/orders from authorities, and instances of aggression and misconduct towards students, fellow staff members, and the Principal.

### **(2) Gist of Allegations:**

Mr. XYZ has been accused of disregarding rules and regulations, displaying a lack of interest in his job, and misbehaving with the Principal, staff, and students. His conduct is often discourteous, and he frequently resorts to delaying tactics, willfully causing delays in the completion of assigned work. He executes his duties in a casual manner and does not implement tasks in a disciplined way. Additionally, he interferes with the work assigned to other staff members, creating a hostile work environment. His behavior towards female staff members and students has also been deemed inappropriate.

### **(3) Verification of Complaints:**

The complaints against Mr. XYZ, TGT (WE), required substantiation with evidence. The Committee deemed it necessary to verify the allegations through the following means:

- (a) Staff members of KV No. 1 were consulted regarding incidents of aggression and interference in their assigned work by Mr. XYZ.
- (b) Students were questioned about Mr. XYZ's aggressive behavior and lack of seriousness towards his assigned duties.
- (c) Staff members were asked to provide statements on any incidents that corroborate the allegations of harassment and intimidation of students and female staff members.

### **(4) Methodology Used by the Inquiry Committee:**

(a) The committee visited Classes VI A, VII A, and VIII A and interacted with students to assess Mr. XYZ's teaching approach and general behavior in the classroom. The students were asked to provide feedback on two key aspects:

- (i) Whether Mr. XYZ was teaching them as per the assigned syllabus.
- (ii) His general behavior in the classroom.

A structured feedback form was distributed among students, allowing them to provide their opinions. The majority of students completed and submitted the forms to the inquiry committee.

(b) Several teachers were individually questioned. They were provided with a questionnaire to assess the gravity of the allegations. Additionally, they were invited to submit written statements regarding any other incidents beyond those mentioned in the questionnaire.

(c) During the committee's interactions with staff members, some students voluntarily approached the committee to personally report grievances against Mr. XYZ's aggressive

behavior towards students and a class teacher during morning assembly. These students were instructed to submit their grievances in writing.

(d) Mr. XYZ was given an opportunity to present his viewpoint regarding the complaints against him. However, he responded aggressively, stating in a loud tone that he was not interested in the inquiry and refused to speak with the committee members. This incident was witnessed by Sh. ABC, PRT.

#### **(5) Evidence Gathered:**

- (i) Written responses from 15 staff members, including the Vice Principal, teachers, and sub-staff. (*Annexures 1-15*)
- (ii) A handwritten complaint from a female sports coach regarding Mr. XYZ's misbehavior and failure to teach. (*Annexure 17*)
- (iii) Written complaints from five students of Class VII A and one student of Class VIII A regarding aggressive behavior and damage to Vidyalaya property. (*Annexures 18-19*)
- (iv) A written statement from the Principal regarding general observations of Mr. XYZ's behavior. (*Annexure 20*)
- (v) A witness statement from Sh. ABC, PRT, regarding Mr. XYZ's non-cooperation and refusal to present his defense. (*Annexure 16*)
- (vi) Feedback from 33 students of Class VI A regarding Mr. XYZ's teaching and behavior. (*Annexures S1-S14*)
- (vii) Feedback from 26 students of Class VII A regarding Mr. XYZ's teaching and behavior. (*Annexures S15-S24*)
- (viii) Feedback from 26 students of Class VIII A regarding Mr. XYZ's teaching and behavior. (*Annexures S25-S35*)
- (ix) Records of past incidents indicating Mr. XYZ's history of non-compliance with assigned work and misbehavior with staff members. (*Annexure 21*)
- (x) A CD containing video evidence of Mr. XYZ's aggressive behavior towards staff members.

#### **(6) Evaluation of Statements and Evidence:**

The Committee correlated the various complaints against Mr. XYZ (TGT WE) with the statements, and documentary proof gathered during the inquiry proceeding. It has emerged that he used to apply dilatory tactics and willfully caused delays in implementing the assigned task. He often misbehaves and behaves aggressively with staff members and students and tries to force himself upon the authority of others. He refuses to acknowledge any work allotted to him and misbehaves habitually with Sub Staff, the weaker section. He defies the lawful instructions given to him by the constituted authority. He even misbehaved with the NIOS Candidates and not letting them in the rooms, on one occasion. He even pushed his fellow staff and sometimes become physical. He has no respect for students and lady teachers. He behaves with them in a discourteous manner. He creates ruckus in morning assemblies, and events of mass gatherings and not listened to authority to behave well. Students even stated that he was reaching harm to Vidyalaya's Property by breaking the Mikes. He does not teach in the classroom, does not check homework, and leaves classes during the currency of his period. He often speaks unparliamentary words in the classroom. He even does not submit grades for the annual examination of his subject to the class teachers.

#### **(7) Findings:**

Based on the evaluation of staff statements and documentary evidence, the Committee concludes that:

- (a) Mr. XYZ, TGT (WE), misbehaved with students, staff members, and female teachers and exhibited aggressive behavior.
- (b) He frequently became aggressive and engaged in quarrels without cause, displaying mood swings.
- (c) He publicly misbehaved with sub-staff, physically pushing a staff member and a teacher.
- (d) He neglected his teaching responsibilities, disrupted colleagues' work, and interfered with morning assemblies and mass events.
- (e) He habitually defied lawful instructions from authorities.
- (f) A review of his personal file revealed a prior stern warning issued to him regarding similar misconduct. (*Order No. F.12030/2018/AK.KVS /Admin 3928, dated 09.10.2018*).
- (g) His behavior, particularly towards students and female staff members, is unbecoming of a government employee and violates Para 2, 3, 10, 12, 13, 14, 21, 22, 28, and 30 of Article 59 of the KVS Education Code and Rules 3(iii) & (xix) of the CCS (Conduct) Rules, 1964.