	<p>केन्द्रीय विद्यालय संगठन मुख्यालय KENDRIYA VIDYALAYA SANGATHAN (HQ) 18, संस्थागत क्षेत्र, शहीद जीत सिंह मार्ग 18, Institutional Area Shaheed Jeet Singh Marg, नई दिल्ली / NEW DELHI-110016 दूरभाष / Tele: 2685857 फ़ैक्स/ Fax: 011-26514179 Website: www.kvsangathan.nic.in</p>
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F. 11059/IV-1/2019/KVS(Vig)/1197-1200

Dated 4/04.2025

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

Sub : Specimen of precise steps to inquire into a complaint of inappropriate /immoral behaviours attracting provisions of Article 81 (B) of KVS Education Code – reg.

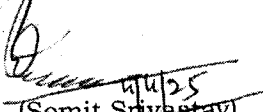
Madam/Sir

Kendriya Vidyalaya Sangathan is committed to providing a safe and conducive environment that nurtures a robust learning ecosystem for all students. To this effect, KVS has enacted and enforced a number of provisions that deal with aberrations stringently, address and rectify any deviations or misconduct effectively. Among these, Article 81(B) of the KVS Education Code stands out as the most critical measure specifically aimed at enhancing the safety of students especially girls in the Vidyalaya campus. This provision is well-known among all functionaries, who are well aware of its scope, authority, and the serious consequences if contravened. Although such incidents are rare, when they are reported, they must be addressed diligently in accordance with established procedures to ensure that relevant facts and circumstances are considered, while irrelevant and extraneous influences do not affect the process.

This can be ensured only when preliminary as well as summary inquiries are conducted on relevant facts and circumstances, free from irrelevant considerations or external pressures and in accordance with the guidelines circulated by this HQ vide letter dated 30.05.2024 which could stand emphatically during judicial scrutiny.

To achieve the above goal, a concise and practical handout is attached, detailing the precise steps required to inquire into a complaint under Article 81(B) accurately and efficiently. This resource is intended to guide functionaries through the process, ensuring consistency and thoroughness in addressing any reported incidents. It serves as a valuable tool for staff, equipping them with the knowledge needed to respond effectively should such a situation arise in the future.

Yours faithfully


(Somit Srivastava)

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 ।

**SPECIMEN- PRELIMINARY ENQUIRY & SUMMARY INQUIRY
UNDER THE PROVISIONS OF ARTICLE - 81(B) OF KVS EDUCATION CODE
KENDRIYA VIDYALAYA, GREEN VALLEY**

Introduction:

At the outset, it is clarified that the actions taken under the provisions of Article 81(B) of the KVS Education Code are entirely separate from those governed by the POCSO Act 2012. Hence, Kendriya Vidyalayas and Regional Offices must not delay or await the outcome or judgment of the POCSO Act 2012 to initiate action under Article 81(B) of the KVS Education Code. We must keep in mind that Article 81(B) triggers departmental actions, while the POCSO Act 2012 sets in motion criminal proceedings led by the civil police. These are two distinct processes, each with its own purpose, and run concurrently, ensuring both accountability and justice in their respective domains. The handling mechanism on receipt of a complaint of immoral behaviour is as follows:-

PART - I

1. Receipt of complaint

On 06.03.2025, a written complaint was received from Mrs. CBZ, the mother of Ms. AA, a Class VIII student at Kendriya Vidyalaya, Green Valley. The complaint alleged that Shri XYZ, a KVS Employee, exhibited immoral behavior towards her daughter, Ms. AA, during a remedial class on 06.03.2025. The alleged incident involved inappropriate comments, physical proximity that made the student uncomfortable, and indecent touching of the body.

2. Action on the part of the Principal, KV Green Valley

(a) Upon receipt of the complaint, the Principal, KV Green Valley took the following steps immediately -

- (i) Informed the Chairman, VMC, and apprised him of the provisions of Article 81(B) and simultaneously requested to nominate a member preferably a female to be included in the preliminary inquiry committee to inquire into the complaint.
- (ii) Issued a Memorandum dated 07.3.2025 to the accused teacher Shri XYZ, a KVS Employee giving a gist of the complaint and 02 day's time to reply.
- (iii) Lodged an FIR with civil police.

(b) Constitution of Preliminary Enquiry Committee

As per the guidelines under Article 81(B), a committee consisting of the following members was constituted at the Vidyalaya level on 09.03.2025, by the Principal, Green Valley after informing the Chairman, Vidyalaya Management Committee (VMC) :

- (i) Smt _____, Senior Most Female Teacher of the Vidyalaya
- (ii) Shri _____, A Male teacher of the Vidyalaya
- (iii) Smt _____, Another female teacher of the Vidyalaya
- (iv) Smt/Shri _____ A member nominated by Chairman VMC (preferably female)

3. Steps to be taken by Preliminary Inquiry Committee: The Preliminary Inquiry Committee assembled at KV Green Valley on 10.03.2025 to enquire into the allegations. The following were the modus of the conducting Preliminary Inquiry by the committee:-



Cont'd...2/-

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4/4/25

4. Forwarding of Preliminary Inquiry Report to Regional Office by the Principal

The Preliminary Enquiry Report, along with all original statements/documents and a copy of the FIR, was forwarded to the Deputy Commissioner, Regional Office, Northern Region, on 15.03.2025 along with his recommendations.

PART - II

SUMMARY INQUIRY BY REGIONAL OFFICE

5. Receipt of Preliminary Inquiry Report at Regional Office

The Preliminary Enquiry Report from KV Green Valley was received on 20.03.2025. When allegations are proved and attract the provisions of Article 81 (B) of the KVS Education Code, the Deputy Commissioner orders a Summary Enquiry.

6. Suspension:

On 22.03.2025, Shri XYZ, a KVS employee was placed under suspension by the Deputy Commissioner due to the seriousness of the allegations and on the basis of findings of the preliminary inquiry report.

7. Constitution of Summary Enquiry Committee

A committee was constituted at the regional level on 22.03.2025 by the DC, KVS RO consisting of the following members(combination just illustrative):-

- i. Mrs./Mr. _____, Assistant Commissioner
- ii. Mrs. _____, Principal, KV Blue Hills
- iii. Mr. _____, Principal KV Dimapur
- iv. Mrs. _____ a female teacher of KV Green Valley who was not a member of the preliminary inquiry committee
- v. Ms. _____, Independent NGO Member (wherever feasible)

8. Steps Taken During Summary Enquiry

(a) Enquiry Process:

- (i) The Committee visited KV Green Valley on 05.04.2025 and conducted the inquiry.
- (ii) Separate interactions were done with Mrs. CBZ, mother of the victim girl, other students, teachers, the Principal, and Shri XYZ, a KVS employee.
- (iii) Statements from the victim girl, parents, students, alleged teacher, and other teachers were recorded and signed (Annexures.....).

(b) Analysis of the statements by the SIC and recording of observations.

Cont'd...4/-



(c) **Findings**

The SIC submitted the summary inquiry report to DC on 10.04.2025.

(i) The Summary Enquiry Committee concluded that the behavior of Shri XYZ, a KVS employee was constituting moral turpitude and immoral conduct towards a student, as per Article 81(B). His defense lacked credibility against multiple corroborating statements. And, hence, on the basis of interaction with all concerned, analysis of the statements, the committee concludes that the allegations of inappropriate touching of the victim girl by the accused teacher are to be established and found to be proved.

Or

(ii) On thorough examination of the statements, and verbal interactions, the Preliminary Inquiry Committee unanimously finds that the allegations against Shri XYZ, a KVS employee are not substantiated based on statements from the victim, witnesses, and other stakeholders and his behavior does not fall under the category of immoral conduct towards a student.


9. Recommendation of the Deputy Commissioner and forwarding of the case to KVS(HQ), New Delhi

The Deputy Commissioner recommends the case to be proceeded under Article 81(B) of KVS Education Code against Shri XYZ, the KVS employee. The Preliminary and Summary Enquiry Reports, along with all original documents and bio-data of Shri XYZ, a KVS employee (Annexure-17), are forwarded to the Commissioner, KVS HQ, on 20.04. 2025.

Note-1: (i) The Preliminary Enquiry Committee should submit a comprehensive report with clear-cut findings as to whether the complaint/ allegation is found to be true or not and avoid giving vague/ ambiguous inferences.

(ii) The Summary Enquiry Committee should then submit a comprehensive report with clear-cut findings of whether the charge/ allegation is proved or not against the employee. Also, the findings must be crystal clear as to whether the complaint falls under the category of moral turpitude/immoral behaviour or not.

Note-2: All names are fictitious and resemblance with any name or place are purely coincidental.


4/4/25