

Preface

The Govt. of Haryana has steadfastly focused its attention on curbing corruption in the Government set up and on providing to its citizens a clean and transparent administration. Keeping in view its 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 functions 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, its organizational 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 17th 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 it's 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

Organization

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 it is 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.

<u>Rank</u>	<u>Sanction</u>
Superintendent (O)	1
Personal Assistants	2
Assistants	10
Sr. Scale Stenos	06
Jr. Scale Stenos	01
Steno-Typists	02
Clerks	27
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 enquiry conducted by the State Vigilance Bureau should be duly registered in Sate 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 leveled 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 16th 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 Charter Accountant, Financial & other experts shall be made as 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/Scrutinize 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. chequer 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 judgments 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 – D.**

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 :-

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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 वित्तायुक्त राजस्व, हरियाणा सरकार तथा हरियाणा के सभी प्रशासकीय सचिव कृपया उपरोक्त विषय पर चौकसी विभाग के अशा0 क्रमांक 5476-1 चौ0 1-74 दिनांक 07.11.74 तथा अशा0 क्रमांक 449-1 चौ: (1)-75 दिनांक 23.05.1975 की ओर ध्यान देंगे ?

2. इस सम्बन्ध में विचार किया गया है और यह निर्णय लिया गया है कि संदर्भित पत्र द्वारा जारी की गई हिदायतें जिनके अनुसार किसी भी विभाग में किसी भी स्तर पर प्राप्त होने वाली एनोनिमस/सूडोनिमस शिकायतें चौकसी विभाग में बनाये गये विशेष सैल को भेजी जा रही है, वापिस ले ली जायें । अर्थात् 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 निरीक्षण डाटा 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 को जांच हेतु भेज दी जाए ।

हस्ता0

उप सचिव चौकसी,

कृते : सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

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

अशा: क्रमांक 1728-चौ: (1)-77 /
क्रमांक 1728.-1 चौ: 1-77 / 12180

दिनांक 4 मई, 1977
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, सिविल, हरियाणा ।
2. रजिस्ट्रार पंजाब तथा हरियाणा हाई कोर्ट, जिला तथा सत्र न्यायाधीश ।

हस्ता0

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 ।

अशा० क्रमांक 1728—1 चौ० (1)—77

दिनांक 4 मई, 1977

रोडवेज

क्रमांक 9/17/96-1 चौ0 (1)

प्रेषक

मुख्य सचिव, हरियाणा सरकार,

चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला, रोहतक, गुडगांव तथा हिसार मण्डल एवं हरियाणा राज्य के सभी आयुक्त, हरियाणा राज्य के सभी उप मण्डल अधिकारी नागरिक ।
2. रजिस्टार, पंजाब तथा हरियाणा उच्च न्यायालय तथा सभी जिला एवं सत्र न्यायाधीश ।
दिनांक 16 अक्टूबर, 1996

विषय :-

राज्य चौकसी ब्यूरो के अन्वेषण अधिकारियों को उन द्वारा की जाने वाली जांचों में प्रलेख उपलब्ध करवाने तथा पूर्ण सहायता/सहयोग देने बारे ।

महोदय,

मुझे उपरोक्त विषय पर यह कहने तथा लिखने का निर्देश हुआ है कि निदेशक, राज्य चौकसी ब्यूरो, हरियाणा द्वारा सरकार के ध्यान में लाया गया है कि उन द्वारा सरकारी अधिकारियों/कर्मचारियों के विरुद्ध की जाने वाली जांचों में विभागों द्वारा जांचों से सम्बन्धित रिकार्ड बार-बार स्मरण करवाने पर भी उपलब्ध नहीं करवाया जाता है, जिस कारण से राज्य चौकसी ब्यूरो के अन्वेषण अधिकारियों को जांचों को पूर्ण करने में अनावश्यक कठिनाई का सामना करना पड़ रहा है जिसे सरकार ने बड़ी गम्भीरता से लिया है । अतः आपसे अनुरोध है कि जिन जांचों में राज्य चौकसी ब्यूरो के अन्वेषण अधिकारियों द्वारा विभागों से रिकार्ड मांगा जाए वह उन्हें 48 घण्टे के अन्दर उपलब्ध करवा दिया करें । इसके अतिरिक्त अन्वेषण अधिकारियों को जांचों से सम्बन्धित सूचना/प्रलेखों को उपलब्ध करवाने में सभी विभाग परम अग्रता से पूर्ण सहायता/सहयोग प्रदान करें ।

2. इन हिदायतों को सभी अधिकारियों के ध्यान में अनुपालना हेतु ला दिया जाये तथा इसकी दृढ़ता से पालना की जाए ।

कृपया इस पत्र की पावती भेजें ।

हस्ता 0

संयुक्त सचिव, चौकसी

कृते : मुख्य सचिव, हरियाणा सरकार,

चौकसी विभाग ।

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		

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, Narnaul 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.

भाग ।।। हरियाणा सरकार गृह

विभाग अधिसूचना

दिनांक 16 दिसम्बर, 2002

संख्या का0आ0 102/के0अ0 2/1974/ध0 2/2002 – दण्ड प्रक्रिया संहिता, 1973, 1974 का केन्द्रीय अधिनियम 2), की धारा 2 के खण्ड (घ) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए तथा हरियाणा सरकार, गृह-विभाग, अधिसूचना संख्या का0आ0 1/के0अ0 2/1974/ध0 2/97, दिनांक 2 जनवरी, 1997, का अधिक्रमण करते हुए, हरियाणा के राज्यपाल, इसके द्वारा घोषित करते हैं कि नीचे दी गई अनुसूची 1 के खाना 1 में विनिर्दिष्ट कार्यालय, पुलिस थाने होंगे तथा उनकी उक्त सूची के खाना 2 में उनके प्रत्येक के सामने विनिर्दिष्ट क्षेत्रों के भीतर नीचे अनुसूची ।। में वर्णित अपराधों के प्रयोजन के लिए अधिकारिता होगी, अर्थात :-

अनुसूची – ।		
	कार्यालय का नाम	अधिकारिता के क्षेत्र
1	कार्यालय पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, अम्बाला ।	अम्बाला, कैथल और कुरुक्षेत्र के जिले ।
2	कार्यालय पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, रोहतक ।	रोहतक, सोनीपत, पानीपत, करनाल और झज्जर के जिले ।
3	कार्यालय पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, हिसार ।	हिसार, सिरसा, जींद, भिवानी और फतेहाबाद के जिले ।
4	कार्यालय पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, गुड़गांव ।	गुड़गांव, फरीदाबाद, नारनौल और रिवाड़ी के जिले ।
5	कार्यालय पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, मुख्यालय, पंचकूला ।	पंचकूला और यमुनानगर के जिले ।

अनुसूची – ।।

- (क) भारतीय दण्ड संहिता, 1860, 1860 का 45 की धारायें 161 से 165 क, 166, 167, 168, 169, 170, 171, 197, 198, 201, 204, 217, 218, 379 से 382, 384 से 389, 403, 406 से 409, 411 से 414, 417 से 420, 465 से 471 और 477 क, के अधीन दण्डनीय अपराध :
- (ख) भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के अधीन दण्डनीय अपराध :
- (ग) आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) और शासकीय गुप्त बात अधिनियम, 1923 (1923 का 19) के उल्लंघन से सम्बन्धित अपराध ।
- (घ) जिसके द्वारा भी किया गया उक्त मद (क) से (ग) में वर्णित अपराधों के सम्बन्ध में प्रयत्न करता है ।

बीरबल दास ढालिया,
वित्तायुक्त एवं प्रधान सचिव,
हरियाणा सरकार,
गृह विभाग ।

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 gum 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 supersession of Haryana Govt. Home Department order No. 8261-2H-70/32862, dated 23/34 Dec. 1970, the Governor of Haryana hereby authorizes 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 Vigilance 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.”

2. 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) (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 issues, 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 ascertaining the emoluments drawn by a Government servant during the "Period of Check". Sometimes it has been complained that this information is not forthcoming quick enough. It is, therefore, necessary that requisitions for supply of this information 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 2nd 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 12th 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 from rent etc. can be collected by examining the tenants and sometimes also by 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 from the records available in a Municipal Committee.

Information on all these aspects can also be obtained from 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 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 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 Investigating 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 action 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 about 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 Tax 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 our 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 zealously 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 the Enquiry 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 tempered 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 specialized 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.

क्रमांक 927—चौकसी (I)—70/18675

प्रेषक

वित्तायुक्त गृह तथा सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष, आयुक्त अम्बाला मण्डल, राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, उच्च न्यायालय, पंजाब तथा हरियाणा चण्डीगढ़ तथा हरियाणा के सभी जिला तथा सत्र न्यायाधीश ।

दिनांक चण्डीगढ़ 17 जुलाई, 1970

विषय :— चौकसी विभाग का पुनर्गठन, हरियाणा राज्य में भ्रष्टाचार निरोधी अभियान ।

महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर मैं आपका ध्यान चौकसी विभाग के परिपत्र संख्या 2682—बी (1)—67/10801 दिनांक जून 17, 1967 की ओर दिलाऊँ और कहूँ कि हाल ही में चौकसी विभाग के कार्यपालन का पुनर्विलोकन किया गया है और उन सभी बातों पर जो इसके सुगम कार्य निपटान में रुकावट पैदा करती है पर विचार किया गया है । यह देखने में आया है कि इसका कारण मुख्यतया: यह है कि सरकार द्वारा समय—2 पर जारी किये अनुदेशों का पालन नहीं किया जाता । इसलिए सम्बन्धित अनुदेशों की अनुपालना के लिए दोहराने की आवश्यकता है । आपका ध्यान विशेष रूप से निम्नलिखित अनुदेशों की ओर दिलाया जाता है :—

1. विशेष जांच अभिकरण तथा विभागीय चौकसी अधिकारियों के मध्य तालमेल

विभागीय चौकसी अधिकारियों के उत्तरदायित्व तथा कर्तव्यों को चौकसी विभाग के परिपत्र संख्या 2682—विज0 (1)—67/10801 दि0 जून 17, 1967 के अनुबंध के पैरा 5 में विस्तार रूप से निर्धारित किया गया है । उनका कर्तव्य है कि ये विभागीय अध्यक्षों की भ्रष्टाचार निरोधी कार्यों में पूर्ण सहायता करें, उनका यह कर्तव्य भी है कि वे चौकसी विभाग को जांच के दौरान पूर्ण सहयोग दें । विशेष रूप से सम्बन्धित रिकार्ड उपलब्ध कराना, आवश्यकतानुसार तकनीकी सहायता देना आदि । प्रायः यह देखने में आया है कि अपेक्षित सहयोग विभागों की ओर से नहीं मिल रहा है । इसलिये आप से अनुरोध है कि विभागीय चौकसी अधिकारियों पर बल दिया जाए कि ये सरकारी अनुदेशों के अनुसार अपने कर्तव्यों का पालन करें ।

2 भ्रष्टाचार निरोधी कार्य के निमित्त विभागीय अध्यक्षों का उत्तरदायित्व

सरकार के उपरोक्त अनुदेशों के अनुसार भ्रष्टाचार निरोध का विभागाध्यक्षों तथा कार्यालय अध्यक्षों का प्रथम कर्तव्य है और यह उनके दैनिक कार्य का अभिन्न अंग है । चौकसी विभाग का कर्तव्य है राजपत्रित अधिकारियों के विरुद्ध जांच/कार्यवाही करना है और जहां तक अराजपत्रित अधिकारियों का सम्बन्ध है इस निमित्त सारा उत्तरदायित्व विभाग अध्यक्षों व उनके तहत चौकसी अधिकारियों का ही है । आपसे अनुरोध है कि जांच के दौरान सम्बन्धित रिकार्ड विशेष जांच अभिकरण को उपलब्ध कराया जाए और जिन राज्य कर्मचारियों के ब्यान उन्हें लेने हों उनको भी पेश कराया जाए । इसके अतिरिक्त यदि कोई सूचना अथवा तकनीकी सहायता आदि की आवश्यकता हो तो इसे भी विशेष जांच अभिकरण को उपलब्ध करवाया जाए ।

3 विशेष जांच अभिकरण तथा विभाग अनुरूप जांच

यह भी देखने में आया है कि कई बार किसी कारण विभाग तथा विशेष जांच अभिकरण एक ही शिकायत पर एक ही साथ जांच आरम्भ कर देते हैं। स्पष्ट रूप से ऐसा नहीं होना चाहिए। अतः निर्णय किया गया है कि यदि किसी मामले में चौकसी विभाग द्वारा जांच आरम्भ हो जाए तो विभाग उसी शिकायत पर जांच न करे और जो जांच आरम्भ की गई हो उसके कागजात निदेशक विशेष जांच अभिकरण को भेज दें।

2. हाल ही में विशेष जांच अभिकरण के कार्य का विकेन्द्रीकरण किया गया है और इस अभिकरण के 4 यूनिट जिला मुख्यालयों पर स्थापित कर दिये गये हैं यह निम्न प्रकार है :-

जिला का नाम	क्षेत्र
1. करनाल	जिला करनाल
2. अम्बाला	जिला अम्बाला
3. रोहतक	रोहतक और जींद जिले
4. हिसार	हिसार और नारनौल जिले।

उपरोक्त यूनिटों के कर्तव्य निम्न प्रकार से होंगे :-

- 1 भ्रष्ट सरकारी कर्मचारियों के सम्बन्ध में आसूचना एकत्रित करना।
- 2 चौकसी विभाग के आदेशों के अनुसार राजपत्रित अधिकारियों के विरुद्ध मामलों की जांच करना।
- 3 रिश्वत लेते हुए भ्रष्ट राज्य कर्मचारियों पर छापे डालना।

3. सरकार ने इस बात को पहले ही स्पष्ट कर दिया है कि वे भ्रष्टाचार को समाप्त करने के लिए वचनबद्ध हैं और आप सरकार के इस उत्तर-दायित्व उत्सुकता को पूरा करने में सहयोग दें। अतः मुझे निदेश हुआ है कि मैं आपसे अनुरोध करूँ कि उपरोक्त अनुदेशों को सभी सम्बन्धित अधिकारियों के ध्यान में अनुपालनार्थ ला दिया जाए।

भवदीय,

हस्ता/-

उप सचिव गृह (I)

कृते : वित्तायुक्त गृह तथा सचिव,
हरियाणा सरकार,
चौकसी विभाग।

संख्या 927-चौकसी (I)-70/18676 दिनांक चण्डीगढ़ 17 जुलाई 1970

एक प्रति निदेशक, विशेष जांच अभिकरण, हरियाणा, चण्डीगढ़, को उसके पत्र क्रमांक 343/एस0आई0ए0/एच0 दिनांक 30.01.70 के संदर्भ में सूचनार्थ अग्रेषित।

हस्ता/-

उप सचिव गृह

कृते : वित्तायुक्त गृह तथा सचिव,
हरियाणा सरकार,
चौकसी विभाग।

एक प्रति सूचना तथा आवश्यक कार्यवाही के लिये अग्रेषित है :-

1. वित्तायुक्त राजस्व, हरियाणा सरकार ।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार ।

उनसे अनुरोध है कि कृपया सुनिश्चित करें कि उपरोक्त अनुदेशों का सम्बन्धित अधिकारियों द्वारा अनुपालन किया जाता है ।

हस्ता/-

उप सचिव गृह (I)

कृते : वित्तायुक्त गृह तथा सचिव,
हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. वित्तायुक्त राजस्व, हरियाणा सरकार ।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार ।

आ0 क्रमांक 927—चौकसी (1) — 70

दिनांक चण्डीगढ़ 17 जुलाई, 1970 ।

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.

Yours faithfully,
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.

Yours faithfully,
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 Vigilane 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/psyeudonymous complaints shall normally be rejsted and destroyed. The complaints shall be required normally to furnish affidavits in support of their allegations of corruption. However, Vigilance Department shall have no over- riding discretion to initiate investigation/inquiry into the anonymous/psyeudonymous 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 initiats 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 Vigialnce 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 Minster 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 convention 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 department witnesses required during investigation and departmental proceedings.
 - (iv) Service of documents e.g. charge-sheets, statements of allegations or show cause notice, 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.

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

Dated, Chandigarh The 14th Feb., 1980

क्रमांक 4/2/87-1/चौ0 (1)

प्रेषक

वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष ।
- 2- अम्बाला तथा हिसार मण्डलों के आयुक्त, हरियाणा के सभी उपायुक्त तथा उप मण्डल अधिकारी (नागरिक) ।

दिनांक, चण्डीगढ़ 28 जुलाई, 1988,

विषय :- चौकसी मशीनरी का पुनर्गठन- श्रेणी 3 तथा 4 के कर्मचारियों के विरुद्ध जांच करने का मामला ।

महोदय

मुझे आपका ध्यान चौकसी विभाग के परिपत्र क्रमांक 4/22/78-चौ0 (1) दिनांक 14 फरवरी, 1980 की ओर दिलाने तथा यह कहने का निदेश हुआ है कि इस मामले में आगे सरकार द्वारा विचार करने उपरान्त यह निर्णय लिया गया है कि श्रेणी - 3 तथा 4 के कर्मचारियों के विरुद्ध जांच आरम्भ करने की शक्तियां महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा को दी जाएं । अतः भ्रष्टाचार सम्बन्धी मामला महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा को जांच हेतु सीधे ही भेज दिये जाया करें ।

भवदीय,
अवर सचिव चौकसी,
कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति सभी वित्तायुक्त तथा प्रशासकीय सचिव, हरियाणा सरकार को सूचना तथा उपरोक्त निर्णय अनुसार आवश्यक कार्यवाही हेतु भेजी जाती है ।

भवदीय,
अवर सचिव चौकसी,
कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

सभी वित्तायुक्त तथा प्रशासकीय सचिव, हरियाणा सरकार ।

अशा: क्रमांक 4/2/87-1 चौ0 (1)
पृष्ठांकन क्रमांक 4/2/87-1 चौ0 (1)

दिनांक 28 जुलाई, 1988
दिनांक 28 जुलाई, 1988

एक प्रति महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा, चण्डीगढ़ को उन के यादी क्रमांक 4280/एस0 वी0 बी0 (एच0) दिनांक 28 अप्रैल, 1988 के संदर्भ में भेजी जाती है ।

2. उन्हें इस सम्बन्ध में यह भी सूचित किया जाता है कि यदि श्रेणी-3 तथा 4 के कर्मचारियों के विरुद्ध प्राप्त हुई शिकायतों के आधार पर उनके विरुद्ध जांच आरम्भ करने के आदेश सरकार द्वारा दिये गये हैं जो उन मामलों में जांच रिपोर्ट सरकार को भेज दी जाए । उन्हें यह भी स्पष्ट किया जाता है कि राज्य चौकसी ब्यूरो की जांचों के आधार पर किसी भी कर्मचारी के विरुद्ध फौजदारी मुकदमें पहले की भांति सरकार के आदेशानुसार ही दर्ज करवाये जाया करेंगे ।

भवदीय,
अवर सचिव चौकसी,
कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग ।

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.

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.

To

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, 3rd 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 3rd 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 record 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 record 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 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 officials 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 arise 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 requires 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 of the facts stated in the statement of alligations. 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 cannot 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 audit would be sufficient if the Government servants is given access to those documents. Govt. servants involved in departmental proceedings when permitted to have access to official records some times seek permission to take photostate copies thereof such permissions should not normally be given especially if the officer proposes to make the photostate 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.

प्रेषक

सचिव हरियाणा सरकार, चौकसी विभाग।

सेवा में

- (1) हरियाणा के सभी विभागाध्यक्ष, कमिशनर, अम्बाला/हिसार तथा सभी उपायुक्त।
- (2) रजिस्ट्रार, उच्च न्यायालय, पंजाब तथा हरियाणा, चण्डीगढ़ आर हरियाणा के सभी जिला तथा सत्र न्यायाधीश।

दिनांक, चण्डीगढ़ 16 फरवरी, 1971

विषय:- सरकारी कर्मचारियों के विरुद्ध विभागीय कार्यवाही।

महादय,

उपरोक्त विषय पर मुझे यह निर्देश हुआ है कि आपका ध्यान इस परिपत्र संख्या 2682-बी 1-67/10801 दिनांक 17 जून, 1967 की ओर दिलाना और कहूं कि यह बात सरकार के विचाराधीन थी कि भ्रष्टाचार के ऐसे मामले में जिनमें दोनों कार्यवाही अर्थात् विभागीय कार्यवाही तथा न्यायालय में कार्यवाही सरकारी कर्मचारियों के विरुद्ध की जा सकती हो, में से कौन सी कार्यवाही पहले और किन हालातों में की जाये। मामले पर विचार करने के पश्चात् निम्नलिखित निर्णय किया गया है:-

- 1 सरकारी कर्मचारियों के वे मामले जिनमें आराप रिश्वत, गबन और क्रिमीनल मिसकंडक्ट के हो और जिनमें शहादत इतनी मजबूत हो कि अदालत की छानबीन में पूरी उत्तर सके, कोर्ट में पहले भजा जाये। प्रत्येक केस की नोवियत को भी देखना चाहिए।
- 2 ट्रेप के मामले में यदि शहादत मजबूत न हो तो अदालत में मुकदमा करने के स्थान पर विभागीय कार्यवाही करनी अधिक उपयुक्त होगी।
- 3 किन्तु जहां आराप गम्भीर न हो, ऐसे कसों में गुणों पर निर्णय लिया जाये। केवल अनियमितताएं या टेक्निकल त्रुटियां वाले मामले विभाग में ही डोल होना चाहिये।
- 4 यदि कोई कर्मचारी अदालत से बरी हो जाये तो उसके विरुद्ध विभागीय कार्यवाही करने या न करने का निर्णय केस के गुण व अवगुण के आधार पर किया जाये।

2. आप से निवेदन है कि उपरोक्त निर्णय सभी कर्मचारियों/अधिकारियों को सूचना व मार्ग दर्शन के लिये उनके नोटिस में ला दिया जाये।

भवदीय,

हस्ता/-

अवर सचिव चौकसी, कृते: वित्तायुक्त एवं सचिव,

हरियाणा सरकार, चौकसी विभाग।

एक प्रति निम्नलिखित को

1. वित्तायुक्त कमिशनर राजस्व, हरियाणा तथा

2 सभी पशासकीय सचिव, हरियाणा सरकार को सूचित तथा आवश्यक कार्यवाही के लिये भेजी जाती है।

अवर सचिव चौकसी,

कृते: वित्तायुक्त एवं सचिव,

हरियाणा सरकार, चौकसी विभाग।

सेवा में

1. वित्त कमिश्नर, राजस्व, हरियाणा तथा
2. सभी प्रशासकीय सचिव, हरियाणा सरकार

अ0 कमांक 419—1 चौकसी 1 —71 दिनांक चण्डीगढ 16 फरवरी,1971

एक प्रति निम्नलिखित को सूचनार्थ प्रेषित

1. मुख्य मंत्री के प्रधान/उप प्रधान सचिव,
2. मंत्रिया/उप मंत्रिया तथा मुख्य संसदीय सचिव के सचिव/निजि सचिव

अवर सचिव चौकसी,
कृते: वित्तायुक्त एवं सचिव
हरियाणा सरकार, चौकसी विभाग।

सेवा में

1. मुख्य मंत्री के प्रधान/उप प्रधान सचिव,
2. मंत्रिया/उप मंत्रियो तथा मुख्य संसदीय सचिव के सचिव/निजि सचिव

अ0 कमांक 419—1 चौ 1)–71

दिनांक चण्डीगढ 16 फरवरी,1971

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.

विषय:— अधिकारियों/कर्मचारियों के विरुद्ध पंजाब सेवायें(दण्ड तथा अपील) नियमावली 1952 के अधीन विभागीय जांच के लिये अधिकारी को नियुक्ति।

क्या हरियाणा राज्य के सभी प्रशासनिक सचिव, उपरोक्त विषय पर मुख्य सचिव हरियाणा के परिपत्र क्र० 25/1/79-6 जी० एस० 1, दिनांक 30.4.79 की ओर ध्यान देने का कष्ट करेंगे ?

2 संदर्भित परिपत्र में सभी प्रशासकीय सचिवों से अनुरोध किया गया था कि वे अपने अधीन विभागों में श्रेणी 1 व 11 के राजपत्रित अधिकारियों के विरुद्ध पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन विभागीय जांच करने के लिये चौकसी विभाग में नियुक्त जांच अधिकारी आई०ए०एस० के कडर का चौकसी व उसके साथ संलग्न अमले की सेवाएं प्राप्त करे परन्तु यह अवलोकन किया गया है कि इस सम्बन्ध में अनुदेशों की अनुपालना पूर्ण रूप से नहीं की जा रही है आर तत्र नियम के अन्तर्गत विभागीय जांच के लिये जांच अधिकारी चौकसी को सेवाएं न प्राप्त करके विभागीय अधिकारियों को preference दो जा रही है। विभागों द्वारा अपनाई जाने वाली यह प्रणाली राज्य सरकार की हिदायतों की गम्भीर अवहेलना है।

3. इस स्थिति के दृष्टिगत उनसे पुनः अनुरोध किया जाता है कि उनके अधीन विभागों में पंजाब सिविल सेवाएं(दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन अधिकारियों श्रेणी 1 व 2 के विरुद्ध विभागीय जांच के लिये प्रत्येक अवस्था में जांच अधिकारी चौकसी तथा उसके साथ नियुक्ति अमले की सेवाएं प्राप्त की जाये।

4. इसके अतिरिक्त यह भी देखने में आया है कि जांच अधिकारी चौकसी को तत्र नियमों के अन्तर्गत विभागीय जांच सौंपते समय विभाग उन्हें पूरा सम्बन्धित रिकार्ड उपलब्ध नहीं करवाते जिस कारण जांच पूर्ण करने में अनावश्यक समय नष्ट होने के साथ-साथ देरी भी होती है। अतः यह अनुरोध है कि अपने अधीन विभागाध्यक्षों के ध्यान में यह त्रुटि ला दी जाये आर उन्हें निर्देश दिये जायें कि जांच से सम्बन्धित पूर्ण रिकार्ड जांच अधिकारी चौकसी को जांच सौंपते समय ही उपलब्ध करवा दिया जाये।

5. सभी सम्बन्धित पक्षों के ध्यान में यह अनुदेश कृपया कड़ो अनुपालना हेतु ला दिये जाये।

6. कृपया इस पत्र की पावती भेजे।

हस्ता/—

संयुक्त सचिव, चौकसी

कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा ,क्रमांक 8/2/84-1 चौ (1)

दिनांक 26.3.1984

विषय:- श्रेणी-I तथा II के राजपत्रित अधिकारियों के विरुद्ध पंजाब सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के तहत कार्यवाही करने हेतु विभागीय जांच के लिये जांच अधिकारी नियुक्त करने का मामला।

क्या सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा सरकार कृपया उपरोक्त विषय की ओर ध्यान देंगे?

2. मुख्य सचिव, हरियाणा सरकार के अंशा: कमांक 25/1/79-6 जी0 एस0 1 दिनांक 30 अप्रैल, 1979 द्वारा जारी किये गये परिपत्र में सभी प्रशासकीय विभागों से यह अनुरोध किया गया था कि श्रेणी I तथा II के जिन अधिकारियों के विरुद्ध नियमित विभागीय जांच करना प्रस्तावित हो, उन के बारे में जांच करने के लिये जांच अधिकारी चौकसी को ही जांच अधिकारी नियुक्त किया जाए। इसी विषय में चौकसी विभाग के अंशा: कमांक 74/5/78-4 चौ0 1 दिनांक 7 अप्रैल, 1983 द्वारा जारी किये गये परिपत्र में यह अवलोकन किया गया था कि नियम 7 के तहत जो नियमित विभागीय जांच जांच अधिकारी चौकसी को सौंपी जाती है, उनके साथ प्रायः मूल रिकार्ड जिस के आधार पर जांच पूर्ण को जानी होती है, नहीं भेजा जाता, जिस के कारण जांच अधिकारी द्वारा जांच करना संभव नहीं होता तथा काफी पत्र व्यवहार करने पर भी सम्बन्धित रिकार्ड उपलब्ध न करवाये जाने पर वे जांचें बिना जांच किये ही वापिस लौटानी पड़ती है। इस परिपत्र में सभी प्रशासकीय विभागों से यह अनुरोध किया गया था कि पंजाब सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन नियमित विभागीय जांच अधिकारी चौकसी का जांच हेतु सौंपते समय उस मामले से सम्बन्धित सारा रिकार्ड उन्हें भेज दिया जाया करे ताकि जांच करने में अनावश्यक विलम्ब न हो। चौकसी विभाग के अंशा: कमांक 8/2/84-1 चौ0 1, दिनांक 26 मार्च, 1984 द्वारा जारी किये गये परिपत्र में मुख्य सचिव, हरियाणा सरकार के परिपत्र दिनांक 30 अप्रैल, 1979 तथा चौकसी विभाग के परिपत्र दिनांक 7 अप्रैल 1983 द्वारा जारी की गई हिदायतों का पुनः दोहराया गया था। इस के बावजूद जांच अधिकारी चौकसी द्वारा सरकार के ध्यान में लाया गया है कि कई अधिकारियों के विरुद्ध जांच इस कारण लम्बित पड़ी हुई हैं कि उन जांचों से सम्बन्धित पूर्ण रिकार्ड उन्हें नहीं भेजा गया है यद्यपि रिकार्ड भजने के लिये उन द्वारा अनुरोध किया जा चुका है। अतः सभी प्रशासकीय विभागों से पुनः अनुरोध किया जाता है कि वे किसी भी श्रेणी I तथा II के राजपत्रित अधिकारियों के विरुद्ध पंजाब सिविल सेवा (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन नियमित विभागीय जांच, जांच अधिकारी का सौंपते समय उस मामले से सम्बन्धित पूर्ण रिकार्ड उपलब्ध करवा दिया करें। उन से यह भी अनुरोध किया जाता है कि इस प्रकार को विभागीय जांचों का शीघ्र सम्पन्न करने के उद्देश्य से किसी जिम्मेवार अधिकारी/कर्मचारी को जांच के दौरान presenting officer की सहायता करने हेतु depute कर दिया जाया करे।

3. सभी प्रशासकीय विभागों से पुनः अनुरोध किया जाता है कि सरकार को हिदायतों अनुसार उनके विभाग से सम्बन्धित श्रेणी I तथा II के राजपत्रित अधिकारियों के विरुद्ध नियम 7 के अधीन जांच किसी अन्य विभागीय जांच अधिकारी को न सौंप कर जांच अधिकारी चौकसी को ही सौंपी जाया करे। ऐसी जांच जांच अधिकारी चौकसी को पदनाम से भेजी जाया करे न कि नाम से क्योंकि नाम से सौंपी गई जांच का जांच अधिकारी चौकसी के स्थानान्तरण हा जान कि स्थिति में चालू नहीं रखा जा सकता और उसे पूर्ण करने में अनावश्यक विलम्ब हो जाता है। प्रत्येक जांच में गवाहों के टी0ए0/डी0ए0 आदि पर खर्च करने हेतु समुचित राशि भी जांच अधिकारी चौकसी को उपलब्ध कर दी जाया करे।

कृपया इस पत्र की पावती भेजें।

हस्ता: / -

अवर सचिव, चौकसी,

कृते: आयुक्त एवं सचिव,

हरियाणा सरकार, चौकसी विभाग।

सेवा में

सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा सरकार।

अंशा0 कमांक 8/2/86-1 चौ0 (1) दिनांक 17 सितम्बर, 1986.

विषय:- श्रेणी-I तथा II के राजपत्रित अधिकारियों के विरुद्ध पंजाब सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के तहत जांच अधिकारी को सौंपी गई जांचों संबंधी मूल रिकार्ड उपलब्ध करवाने का मामला।

क्या सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा कृपया उपरोक्त विषय पर चौकसी विभाग के अशा0 कमांक 8/2/86-1 चौ0 1 दिनांक 17 सितम्बर, 1986 की ओर ध्यान देंगे?

3. संदर्भाधीन परिपत्र द्वारा सभी प्रशासकीय विभागों से अन्य बातों के अतिरिक्त

यह भी अनुरोध किया गया था कि वे किसी भी श्रेणी। तथा।। के राजपत्रित अधिकारी के विरुद्ध पंजाब सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन नियमित विभागीय जांच, जांच अधिकारी चौकसी द्वारा सरकार के ध्यान में लाया जाता है कि कई विभागों द्वारा अब भी विभागीय जांच उन्हें सौंपते समय उन जांचों से सम्बन्धित पूर्ण रिकार्ड उपलब्ध नहीं करवाया जा रहा है। यही नहीं कई विभागों द्वारा तो अपेक्षित रिकार्ड उन्हें बार बार स्मरण करवाने के बावजूद भी उपलब्ध नहीं करवाया जा रहा है जिस से जांच अधिकारी द्वारा उन्हें सौंपी गई जांचों को सम्पन्न करने में विलम्ब हो रहा है। अतः उन से पुनः अनुरोध किया जाता है कि वे भविष्य में किसी भी श्रेणी। तथा।। के राजपत्रित अधिकारी के विरुद्ध हरियाणा सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1987 के नियम 7 के तहत नियमित विभागीय जांच, जांच अधिकारी को सौंपते समय उस जांच से संबंधित पूर्ण रिकार्ड उन्हें अवश्य उपलब्ध करवा दिया करें। उन से यह भी अनुरोध किया जाता है कि जांच अधिकारी चौकसी को अब तक सौंपी गई जिन जांचों में पूर्ण रिकार्ड उपलब्ध नहीं करवाया गया है उसे भी अविलम्ब उपलब्ध करवा दिया जाये।

कृपया इस पत्र को पावती भेजे।

हस्ता: /—

अवर सचिव, चौकसी,

कृते: आयुक्त एवं सचिव,

हरियाणा सरकार, चौकसी विभाग।

सेवा में

सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा सरकार।

अशा0 कमांक 8/2/86-1 चौ0 1

पृ0 कमांक 8/2/86-1 चौ0

दिनांक, चण्डीगढ़ 3-4-89

30 दिसम्बर, 1988

हस्ता: /—

अवर सचिव, चौकसी,

कृते: आयुक्त एवं सचिव, हरियाणा सरकार,

चौकसी विभाग।

विषय:- श्रेणी-I तथा II के राजपत्रित अधिकारियों के विरुद्ध हरियाणा सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1987 के नियम 7 के तहत जांच अधिकारी को सौंपी गई जांचों में जांच संबंधी मूल रिकार्ड उपलब्ध करवाने का मामला।

क्या सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा कृपया उपरोक्त विषय पर चौकसी विभाग के अशा0 कमांक 74/5/78-4 चौ । दिनांक 7.4.83 तथा अशा0 कमांक 8/2/86-1 चौ0 । दिनांक 17 सितम्बर, 1986 व सम कमांक दिनांक 3.4.89 द्वारा जारी की गई हिदायतों की ओर ध्यान देंगे?

2. संदर्भाधीन मूल परिपत्र द्वारा सभी प्रशासकीय विभागों से अनुरोध किया गया था कि वे किसी भी श्रेणी। तथा।। के राजपत्रित अधिकारी के विरुद्ध पंजाब सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1952 के नियम 7 के अधीन नियमित विभागीय जांच, जांच अधिकारी चाकसी को सौंपते समय मामले में सम्बन्धी पूर्ण रिकार्ड भेजा करे।

3. जांच अधिकारी चौकसी द्वारा सरकार के ध्यान में लाया गया है कि कई विभागों द्वारा अब भी विभागीय जांचें उन्हें सापते समय उन जांचों से सम्बन्धित पूर्ण रिकार्ड उपलब्ध नहीं करवाया जा रहा है। यही नहीं कई विभागों द्वारा तो अपेक्षित रिकार्ड उन्हें बार-2 स्मरण करवाने के बावजूद भी उपलब्ध नहीं करवाया जा रहा है जिस से जांच अधिकारी द्वारा उन्हें सौंपी गई जांचों को सम्पन्न करने में विलम्ब हो रहा है।

4. अतः उनसे पुनः अनुरोध किया जाता है कि भविष्य में किसी भी श्रेणी-I तथा II के राजपत्रित अधिकारियों के विरुद्ध हरियाणा सिविल सेवाएँ (दण्ड तथा अपील) नियमावली 1987 के नियम 7 के तहत नियमित विभागीय जांच, जांच अधिकारी को सौंपते समय उस जांच से सम्बन्धित पूर्ण रिकार्ड उन्हें अवश्य उपलब्ध करवा दिया करें। उन से यह भी अनुरोध किया जाता है कि जांच अधिकारी चौकसी को अब तक सौंपी गई जिन जांचों में पूर्ण रिकार्ड उपलब्ध नहीं करवाया गया है उसे भी अविलम्ब उपलब्ध करवा दिया जाये ताकि जांच पूर्ण करने में अनावश्यक विलम्ब न हो। यदि जांच अधिकारी द्वारा कोई रिकार्ड मांगा जाए तो वह भी उन्हें 15 दिन के अन्दर अवश्य उपलब्ध करा दिया करें तथा इन हिदायतों का दृढ़ता से पालन किया जाये।

कृपया इस की पावती भेजें।

हस्ता: /—

अवर सचिव, चौकसी,
कृते: आयुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

सभी वित्तायुक्त तथा आयुक्त एवं सचिव,
हरियाणा सरकार।

अशा: कमांक 8/2/86-1 चौ0
पृ0 कमांक 8/2/86-1 चौ0

1 दिनांक 23.4.93
1 दिनांक 23.4.93

एक प्रति जांच अधिकारी, चौकसी विभाग, हरियाणा, चण्डीगढ़ को उनके नाट दिनांक 2.3.93 के संदर्भ में इस अनुरोध के साथ भेजी जाती है कि उन को विभागों द्वारा सौंपी गई जिन जांचों में पूर्ण रिकार्ड विभागों द्वारा उपलब्ध नहीं कराया जाता है उन जांचों को वापिस करने में सरकार को कोई आपत्ति नहीं है।

हस्ता: /—

अवर सचिव, चौकसी,
कृते: आयुक्त एवं सचिव, हरियाणा सरकार,
चौकसी विभाग।

प्रेषक

मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला, राहतक, गुडगांव तथा हिसार मण्डल एवं हरियाणा राज्य के सभी उपायुक्त, हरियाणा राज्य के सभी उप मण्डल अधिकारी नागरिक।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय तथा सभी जिला एवं सत्र न्यायाधीश।

दिनांक 16 अक्टूबर, 1996

विषय:— राज्य चाकसो ब्यूरो के अन्वेषण अधिकारियों का उन द्वारा की जाने वाली जांचों में प्रलेख उपलब्ध करवाने तथा पूर्ण सहायता/सहयोग देने बारे।

महादय,

मुझे उपरोक्त विषय पर यह कहने तथा लिखने का निर्देश हुआ है कि निदेशक, राज्य चौकसी ब्यूरो, हरियाणा द्वारा सरकार के ध्यान में लाया गया है कि उन द्वारा सरकारी अधिकारियों/कर्मचारियों के विरुद्ध की जाने वाली जांचों से सम्बन्धित रिकार्ड बार-बार स्मरण करवाने पर भी उपलब्ध नहीं करवाया जाता है, जिस कारण से राज्य चौकसी के अन्वेषण अधिकारियों को जांचों को पूर्ण करने में अनावश्यक कठिनाई का सामना करना पड़ा रहा है जिसे सरकार ने बड़ी गम्भीरता से लिया है। अतः आपसे अनुरोध है कि जिन जांचों में राज्य चाकसी ब्यूरो के अन्वेषण अधिकारियों द्वारा विभागों से रिकार्ड मांगा जाये वह उन्हें 48 घण्टे के अन्दर उपलब्ध करवा दिया करें। इसके अतिरिक्त अन्वेषण अधिकारियों को जांचों से सम्बन्धित सूचना/प्रलेखों को उपलब्ध करवाने में सभी विभाग परम अग्रता से पूर्ण सहायता/सहयोग प्रदान करें।

2. इन हिदायतों को सभी अधिकारियों के ध्यान में अनुपालन हेतु ला दिया जाए तथा इसको दृढ़ता से पालना को जाए।

कृपया इस पत्र की पावती भेजें।

भवदीय,

हस्ता/—

संयुक्त सचिव चाकसो,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

प्रेषक

वित्तायुक्त एवं सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला, राहतक, गुडगांव तथा हिसार मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय तथा जिलों के सभी जिला एवं सत्र न्यायाधीश ।

दिनांक 24.4.2000

विषय :- सरकारो कर्मचारो/अधिकारो द्वारा अपन से उच्च अधिकारो के विरुद्ध की जान वालो शिकायत अपने विभागाध्यक्ष/प्रशासकीय सचिव के माध्यम से करने बारे ।

महादय,

मुझे निर्देश हुआ है कि आपका ध्यान उपरोक्त विषय की ओर दिलाऊ आर बताऊ कि सरकार के ध्यान में आया है कि बहुत से सरकारो कर्मचारी अपने उच्च अधिकारियों के विरुद्ध शिकायत अपने विभागाध्यक्ष /प्रशासकोय सचिव के माध्यम ना भेजते हुए सीधे ही वित्तायुक्त एवं सचिव, हरियाणा सरकार चौकसी विभाग/निदेशक, राज्य चौकसी ब्यूरो को भेजे देते है । ऐसा हाने से शिकायत का भलो भांती परोक्षण करन मे इस विभाग के सम्मुख कठिनाई पेश आती है । क्याकि जिस अधिकारी के विरुद्ध उसके विभाग के कर्मचारी द्वारा शिकायत की जाती है, उनके कार्य/चरित्रा के बारे उसके विभागाध्यक्ष/प्रशासकीय सचिव को इस विभाग से अधिक जानकारी होती है । इसलिए सरकार ने इस मामले में निर्णय लिया है कि भविष्य में कोई भी सरकारी कर्मचारो/अधिकारी यदि अपने से उच्च अधिकारी के विरुद्ध कोई शिकायत करें तो वह वित्तायुक्त एवं सचिव हरियाणा सरकार, चौकसी विभाग/निदेशक, राज्य चौकसी ब्यूरो, हरियाणा, पंचकूला को शिकायत सीधे न भेजत हुए अपने विभागाध्यक्ष प्रशासकोय सचिव के माध्यम से भेजें ।

2. कृपया इन आदेशों की कड़ी पालना हेतू सभी अपने अधीनस्थ कर्मचारियों/अधिकारियों के ध्यान में ला दिया जाए ।

. कृपया इस पत्रा की पावती भेजें ।

हस्ता /—

अवर सचिव चाकसो,

कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,

चौकसी विभाग ।

एक प्रति सभी वित्तायुक्त तथा प्रशासकोय सचिवों, हरियाणा सरकार को सूचनार्थ/आवश्यक कार्यवाही हेतु अग्रेषित है ।

हस्ता /—

अवर सचिव चाकसो,

कृते: वित्तायुक्त एवं सचिव, हरियाणा सरकार,

चौकसी विभाग ।

सेवा में

1. सभी वित्तायुक्त, हरियाणा सरकार ।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार ।

अशा0 क्रमांक 4/1/2000-1 चौ0 1

दिनांक 24-4-2000

प्रेषक

मुख्य सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष,
2. आयुक्त अम्बाला, रोहतक, गुडगांव तथा हिसार मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
3. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय तथा जिलों के सभी जिला एवं सत्र न्यायाधीश ।

दिनांक 14.3.2002

विषय :- हरियाणा राज्य के श्रेणी 1 व श्रेणी II के अधिकारियों के पक्ष में पेंशन के लिए शोधन पत्र जारी करने हेतु प्रस्ताव समय पर भजन बार ।

महादय,

मज़ा निदेश हुआ है कि मैं आपका ध्यान वित्त विभाग द्वारा जारी की गई हिदायतें पत्र क्रमांक 68/2/2001-वित्त विभाग ;पेंशन एस0ए0पी0 दिनांक 3.9.2001 को ओर दिलाऊं और बताऊं कि उक्त हिदायतें द्वारा सरकारी सेवानिवृत्त होने वाले श्रेणी 1 तथा II के अधिकारियों के पक्ष में पेंशन के लिए शोध पूर्ण भेजने के निर्देश दिये थे, परन्तु प्रायः यह देखने में आया कि विभागाध्यक्ष/प्रशासकीय विभागों के द्वारा सम्बन्धित अधिकारियों के सम्बन्ध में चौकसी को शोधन पत्र जारी करने का प्रस्ताव समय पर नहीं भेजे जाते हैं और या फिर अधिकारी के सेवा निवृत्त होने के पश्चात् भेजा जाता है । जिससे सम्बन्धित अधिकारियों को सेवा निवृत्त होने पश्चात् उनको देय राशि समय पर न मिलने में काफी कठिनाई का सामना करना पड़ता है और कई बार तो सेवा निवृत्त अधिकारी द्वारा देय राशि ब्याज सहित अदा करने बारे कोर्ट से भी आदेश कर दिये जाते हैं, जिससे सरकार के अनाश्यक ब्याज अदा करना पड़ता है ।

2 सरकार के ध्यान में आया है कि वित्त विभाग द्वारा जारी की गई उक्त हिदायतों का दृढ़ता से पालन नहीं किया जा रहा है । इस सम्बन्ध में मुख्य सचिव महादय की अध्यक्षता में प्रशासकीय सचिवों की दिनांक 5.2.2002 को हुई बैठक में निर्णय लिया गया है कि सम्बन्धित श्रेणी I तथा II के अधिकारियों के पेंशन केसों के सम्बन्ध में चौकसी विभाग तिथिबद्ध व परम अग्रता आधार पर शोधन पत्र जारी करें । तदनुसार आपसे अनुरोध है कि कृपया इन हिदायतों का दृढ़ता से पालन किया जाये तथा भविष्य में सेवानिवृत्त होने वाले अधिकारियों के पक्ष में शोधन पत्र जारी करने का प्रस्ताव मुख्य सचिव, हरियाणा सरकार, चौकसी विभाग को निश्चित समय पर भेजे जायें ।

कृपया इसको पावती भेजें ।

भवदोय,

हस्ता /—

अवर सचिव चाकसी

कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

पृ० क्रमांक 4/2/2002-1 चौ०

दिनांक 14.03.2002

एक प्रति निदेशक, राज्य चौकसी ब्यूरा, हरियाणा को इस अनुरोध के साथ भेजी जाती है कि सरकार द्वारा अधिकारी के शोधन पत्र जारी करने के सम्बन्ध में मांगी सूचना तीन दिन के अन्दर भेजना सुनिश्चित करें ।

अवर सचिव चौकसी,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है:-

1. सभी वित्तायुक्त एवं प्रधान सचिव, हरियाणा सरकार ।
2. सभी आयुक्त एवं सचिव, हरियाणा सरकार ।

अवर सचिव चौकसी
कृते: मुख्य सचिव, हरियाणा
चौकसी विभाग ।

सेवा में

1. सभी वित्तायुक्त एवं प्रधान सचिव, हरियाणा सरकार ।
2. सभी आयुक्त एवं सचिव, हरियाणा सरकार ।

अशा० क्रमांक 4/2/2002-1 चौ० ।

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

Dated, Chandigarh the 11th July, 2003
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.

तत्काल

क्रमांक 9/17/96-1 चौ0

प्रेषक

मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला, रोहतक, गुडगांव तथा हिसार मण्डल एवं हरियाणा राज्य के सभी उपायुक्त, हरियाणा राज्य के सभी उप मण्डल अधिकारी ;नागरिक ।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय तथा सभी जिला एवं सत्र न्यायाधीश ।

दिनांक चण्डीगढ़ 11 जुलाई, 2003,

विषय :- राज्य चाकसी ब्यूरो के अन्वेषण अधिकारियों को उन द्वारा की जाने जांचों में प्रलेख उपलब्ध करवाने तथा पूर्ण सहायता/सहयोग देने बारे ।

महोदय,

उपरोक्त विषय पर मुझे आपका ध्यान सरकार के परिपत्र क्रमांक 9/17/96-1 चौ0, दिनांक 16 अक्टूबर, 1996 की ओर आकर्षित करने तथा यह कहने का निर्देश हुआ है कि सरकार की हिदायतों के अनुसार जिन जांचों में राज्य चौकसी ब्यूरो के अन्वेषण अधिकारियों द्वारा विभागों से रिकार्ड मांगा जाये वह उन्हें 48 घण्टे के अन्दर-2 उपलब्ध करवा दिया करें तथा जांचों से सम्बन्धित सूचना/प्रलेखों को उपलब्ध करवाने से सभी विभाग परम अग्रता से पूर्ण सहायता/सहयोग प्रदान करें । परन्तु सरकार के ध्यान में यह लाया गया है कि जांच के सम्बन्ध में रिकार्ड सम्बन्धित जांच अधिकारियों का बार-बार स्मरण करवाने पर भी उपलब्ध नहीं करवाया जाता है और परिणामस्वरूप अन्वेषण अधिकारी को ऐसी जांचों को पूर्ण करने में अनावश्यक देरी तथा कठिनाई का सामना करना पड़ता है । सरकार ने इसे गम्भीरता से लिया है और आपसे पुनः अनुरोध है कि भविष्य में इनका दृढ़ता से पालन किया जाये ताकि जांचों को पूरा करने में भविष्य में देरी न हो ।

कृपया इसकी पावती भेजें ।

भवदीय,

हस्ता/-

अवर सचिव चौकसी,

कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति सभी वितायुक्त/एवं प्रधान सचिव तथा आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है ।

भवदीय,

हस्ता/-

अवर सचिव चौकसी,

कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. सभी वित्तायुक्त/प्रधान सचिव, हरियाणा सरकार ।
2. सभी आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार ।

अशा0 क्रमांक 9/17/96-1 चौ0 1

दिनांक चण्डीगढ़ 11 जुलाई, 2003

एक प्रति हरियाणा राज्य के सभी प्रबन्धक निदेशक, बोर्ड/कारपोरेशन को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है ।

भवदीय,
हस्ता/—
अवर सचिव चौकसी,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

प्रेषक

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त, अम्बाला तथा हिसार मण्डल, सभी उपायुक्त तथा उप मण्डल अधिकारी, सिविल ।
 2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय तथा सभी जिला तथा सेशन जज, हरियाणा ।
- दिनांक चण्डीगढ़ 18 नवम्बर, 1974

विषय :— सरकारी गाड़ियों का दुरुपयोग ।

महोदय,

मुझे निर्देश हुआ है कि उपरोक्त विषय पर आपका ध्यान संयुक्त सचिव पंजाब चौकसी विभाग द्वारा जारी किये गये परिपत्र क्रमांक 1732—बी 1—61/3866, दिनांक 3.4.1961, प्रति संलग्न है की ओर दिलारुं और कहूं कि सरकार के नोटिस में यह बात आई है कि कई विभागों में सरकारी गाड़ियों का दुरुपयोग किया जा रहा है । सरकार इस मामले को बड़ा गम्भीर समझती है और वह चाहती है कि आप यह सुनिश्चित करें कि सरकारी गाड़ियों का प्रयोग उन्हीं उद्देश्यों के लिए किया जाये जिसके लिये यह उपलब्ध की गई है । इस स्थिति में आपसे पुनः अनुरोध किया जाता है कि उक्त संदर्भित पत्र में जारी की गई हिदायतों की कड़ी अनुपालना की जाय और यह हिदायतें पुन आपके अधीन सरकारी अधिकारियों/कर्मचारियों के ध्यान में लाई जायें । उन्हें यह भी स्पष्ट कर दिया जाये कि यदि कोई ऐसा मामला भविष्य में सरकार के ध्यान में आया तो सम्बन्धित अधिकारी/कर्मचारी के विरुद्ध कड़ी अनुशासनिक कार्यवाही की जायेगी ।

2. आपको यह भी सूचित किया जाता है कि चौकसी विभाग के फील्ड स्टाफ को भी इस बारे में चैकिंग करने की हिदायतें जारी कर दी गई है । आपसे अनुरोध है कि आप इस बारे में उन्हें पूर्ण सहयोग प्रदान करें ।

भवदीय,

हस्ता/—

अवर सचिव चौकसी,

कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति :—

1. वित्तायुक्त राजस्व, हरियाणा तथा सभी प्रशासकीय सचिवों ।

को सूचना तथा आवश्यक कार्यवाही हेतु प्रेषित है ।

हस्ता/—

उप सचिव, चौकसी,

कृते: सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. वित्तायुक्त राजस्व, हरियाणा
2. सभी प्रशासकीय सचिवों ।

अशा० क्रमांक 3060-1 ;चौ०-741

दिनांक 16.11.1974

क्रमांक 1/4/83-1 चौ0 1

प्रेषक

वित्तायुक्त एवं सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा मे

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त, अम्बाला व हिसार मण्डल ।
सभी उपायुक्त तथा उप मण्डल अधिकारी नागरिक ।
2. रजिस्ट्रार, पंजाब एवं हरियाणा, उच्च न्यायालय तथा जिला एवं सत्र न्यायाधेश,
हरियाणा ।

दिनांक चण्डीगढ़ फरवरी 8.3.1983

विषय :- सरकारी गाड़ियों का दुरुपयोग ।

महोदय,

मुझे निर्देश हुआ है कि मैं आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 3060-1 चौ:1 74/24700 दिनांक 18.11.1974 प्रति अनुलग्नक सहित सलग्न है की ओर आकृष्ट करूं और अनुरोध करूं कि सरकार के ध्यान में आया है कि विभिन्न विभागों में सरकारी गाड़ियों का प्रयोग करते समय उक्त परिपत्र में इंगित अनुदेशों की पालना नहीं हो रही है जो कि एक गम्भीर मामला है। अतः आपसे अनुरोध है कि उक्त अनुदेश सभी सम्बन्धित अधिकारियों/कर्मचारियों के ध्यान में कड़ी अनुपालना हेतु ला दिये जायें ताकि उपलब्ध सरकारी गाड़ियों के दुरुपयोग की बढ़ती हुई प्रवृत्ति की रोकथाम हो सके ।

कृपया इस पत्रा की पावती भेजें ।

हस्ता/-

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

Date: 3.04.1991

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 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 certificate 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.

विभाग द्वारा अगणित जांच रिपोर्टों के सम्बन्ध में की गई कार्यवाही की सूचना भेजने के सम्बन्ध में।

क्या :-

1. मुख्य सचिव, हरियाणा सरकार।
2. हरियाणा राज्य के सभी वित्तायुक्त एवं सचिव।
3. हरियाणा राज्य के सभी आयुक्त एवं सचिव।
4. हरियाणा सरकार के सभी सचिव,

उपरोक्त विषय की ओर ध्यान देंगे।

2. कुछ समय से यह अनुभव किया जा रहा है कि चाकसी विभाग द्वारा विभिन्न विभागों के कर्मचारियों अधिकारियों के विरुद्ध की गई जांच रिपोर्टों जो विभिन्न प्रशासकीय सचिवों को आगामी कार्यवाही हेतु अगणित की जाती हैं, उन पर प्रशासकीय विभाग/विभागाध्यक्ष काफी समय तक कार्यवाही पूर्ण नहीं कर पाते। कुछ मामलों में तो यह भी देखने में आया है कि प्रशासकीय विभाग द्वारा 4-5 वर्ष को अवधि के उपरान्त मामला उठाये जाने पर नये सिरे से जांच रिपोर्ट की प्रतियां मांगी जाती हैं, जो कि अत्यन्त खेदजनक स्थिति है। इस प्रकार की स्थिति से निपटने के लिए यह निर्णय लिया गया है कि भविष्य में प्रत्येक विभाग से सम्बन्धित जांच रिपोर्टों पर की गई कार्यवाही बारे विभिन्न विभागों में नियुक्त मुख्य चौकसी अधिकारी/चौकसी अधिकारी एक त्रैमासिक रिपोर्ट चौकसी विभाग का भेजेंगे जिसमें सभी लम्बित जांच रिपोर्टों बारे की गई कार्यवाही की वर्तमान स्थिति का विवरण दिया जाएगा और यह भी स्पष्ट विवरण दिया जाना होगा कि मामले को अन्तिम रूप देने में क्या क्या कठिनाईयां पेश आ रही हैं। अतः उनसे यह अनुरोध किया जाता है कि अपने अधीनस्थ सभी विभागाध्यक्षों को यह निर्देश जारी करें कि उनके विभागों में नियुक्त मुख्य चौकसी अधिकारी/चौकसी अधिकारी यह सुनिश्चित करें कि उपरोक्त त्रैमासिक रिपोर्ट चौकसी विभाग को जनवरी, अप्रैल, जुलाई तथा अक्टूबर की 15 तारीख तक पत्यक अवस्था में नियमित रूप से भेजी जाए। इन अनुदेशों की अवहेलना को सरकार गम्भीर रूप से लेगी तथा सम्बन्धित मुख्य चौकसी अधिकारी/चौकसी अधिकारी का इस सम्बन्ध में हुए कमियों के लिए व्यक्तिगत रूप से जिम्मेवार ठहराया जायेगा। यहां यह भी स्पष्ट करना उचित होगा कि भविष्य में इस प्रकार के केसों को **Properly pursue** करना सम्बन्धित विभाग में नियुक्त मुख्य चौकसी अधिकारी/चौकसी अधिकारियों की विशेष जिम्मेवारी होगी और यह स्थिति मुख्य मंत्री महोदय को समय-समय पर प्रस्तुत की जाएगी।

इस सम्बन्ध में 31 अक्टूबर, 1981 तक प्राप्त जांच रिपोर्ट बारे पहली रिपोर्ट 15 नवम्बर, 1981 तक चाकसी विभाग को भेज दी जाए तथा उसके बाद त्रैमासिक रिपोर्ट जनवरी, अप्रैल, जुलाई तथा अक्टूबर की 15 तारीख तक नियमित रूप से भेजी जाएं।

3. कृपया इस परिपत्र की पावती भेजें।

हस्ता/-

संयुक्त सचिव, चाकसी,

कृते : वित्तायुक्त एवं सचिव, हरियाणा सरकार,

चाकसी विभाग।

सेवा में

1. मुख्य सचिव, हरियाणा सरकार।
2. सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार।
3. सभी आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार।
4. सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा: कमांक 4/3/81-1 चौ0-1

दिनांक चण्डीगढ़ 5-11-1981

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 he 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 heirachy 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.
- (v) 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 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.

प्रेषक

मुख्य सचिव, हरियाणा सरकार, चौकसी विभाग।

सेवा में

हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला, रोहतक, गुड़गावां तथा हिसार मण्डल एवं हरियाणा के सभी उपायुक्त।

हरियाणा राज्य के सभी निगम एवं बोर्ड।

दिनांक 20-3-1991

विषय :- Re-organization of the Vigilance Machinery-appointment and functions of the Departmental Chief Vigilance Officers/Vigilance Officers.

महोदय,

मुझे आपका ध्यान उपरोक्त विषय पर चौकसी विभाग के परिपत्र कमांक 4/22/78-1 चौ01 दिनांक 22-8-86 तथा परिपत्र सम कमांक 8-5-90 को आर दिलाते हुए यह कहने का निर्देश हुआ है कि उक्त हिदायतों अनुसार सभी विभागाध्यक्षों द्वारा मुख्य चौकसी अधिकारी/चौकसी अधिकारी द्वारा उनके विभाग में किये जा रहे कार्यों की तिमाही रिपोर्ट अपने प्रशासकीय विभाग के माध्यम से तथा मासिक रिपोर्ट चौकसी विभाग को भेजनी अनिवार्य है। परन्तु चौकसी विभाग के ध्यान में आया है कि उपरोक्त हिदायतों का संबंधित विभागों द्वारा पालन नहीं किया जा रहा है। अतः आपसे पुनः अनुरोध है कि चौकसी विभाग द्वारा जारी की गई हिदायतों का दृढ़ता से पालन करते हुए वांछित तिमाही/मासिक रिपोर्ट निर्धारित किये गये समय पर भेजें।

2. मुख्य चौकसी अधिकारियों/चौकसी अधिकारियों द्वारा किये जाने वाले कार्यों तथा कर्तव्यों (Functions & Duties) का उल्लेख चौकसी विभाग द्वारा जारी किए गए परिपत्र 4/22/79-1 चौ0 1 दिनांक 14-2-80 में पहले से ही किया हुआ है। इसके अतिरिक्त मुख्य चौकसी अधिकारियों/चौकसी अधिकारियों के कार्यों तथा कर्तव्यों (Functions & Duties) में निम्न प्रकार से वृद्धि करने का निर्णय इस विभाग द्वारा लिया गया है जिनका वे दृढ़ता से पालन करेंगे:-

- 1 मुख्य चौकसी अधिकारियों/चौकसी अधिकारी अपने-अपने विभागों में कार्यरत अधिकारियों/कर्मचारियों/की अचल/चल घोषणा पत्रों की पड़ताल करके आगामी आवश्यक कार्यवाही करें।

चौकसी विभाग द्वारा विभागों को भेजी गई जाचों/शिकायतों पर कार्यवाही करवाने की जिम्मेवारी विशेषकर उन केसों में जहां चौकसी विभाग द्वारा रिपोर्ट मांगी गई है, विभाग के मुख्य चौकसी अधिकारी/चौकसी अधिकारी की होगी।

- 2 मुख्य चौकसी अधिकारी/चौकसी अधिकारी अपने-अपने विभाग को छानबोन लगातार करें और जो अधिकारी/कर्मचारी भ्रष्ट पाये जायें उनके विरुद्ध आवश्यक कार्यवाही करने की जिम्मेवारी उन्हीं की होगी।

राज्य चौकसी ब्यूरो, हरियाणा के अन्वेषण अधिकारियों द्वारा विभागों के अधिकारियों/कर्मचारियों के विरुद्ध की जाने वाली जाचों में भी मुख्य चौकसी अधिकारी/चौकसी अधिकारी सहयोग दें।

3. कृपया संदर्भाधीन परिपत्र द्वारा जारी की गई हिदायतें सभी अधिकारियों/कर्मचारियों के ध्यान में पालनार्थ ला दी जाये।

कृपया इसकी पावती भर्जें।

हस्ता/—

उप सचिव चाकसो,

कते: मुख्य सचिव, हरियाणा सरकार,
चाकसो विभाग।

एक प्रति सभी वित्तायुक्त तथा आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार को इस अनुरोध के साथ भेजी जाती है कि निजी स्तर पर इस मामले को रिव्यू करते हुए अपने अधीनस्थ विभागों से चौकसी विभाग द्वारा समय-समय पर जारी की गई हिदायतों का दृढ़ता से पालन करवाना सुनिश्चित करें।

हस्ता/—

उप सचिव चाकसो,

कते: मुख्य सचिव, हरियाणा सरकार,
चाकसो विभाग।

सेवा में

सभी वित्तायुक्त, हरियाणा सरकार

सभी आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार।

अषा: कमांक 4/1/91-1 चौ0 (1)

दिनांक 20-3-1991

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.

[Extract from Haryana Government Gazette, dated the 4th December, 2012]

HARYANA GOVERNMENT
VIGILANCE DEPARTMENT

Order

4th 3rd /10th July, 2012

No. 9/4/2012-IVI.—whereas, the State Vigilance Bureau is being headed by the Director.

And, whereas the post of the director, State Vigilance Bureau being filled up from amongst the IPS officers of the rank of director General of Police or Additional General of Police.

And, whereas now it has been deemed fit to post only those officers who fulfill the following eligibility conditions with term of office as given below:-

The State Government Shall appoint Director General State Vigilance Bureau from amongst the officers holding the of Director General of Police / Additional Director General of Police and with 25 years of service.

The officer so appointed shall have impeccable integrity, proven merit and experience in supervising investigations.

He shall have minimum tenure of one year:

Provided that any such officer may be sent back by the appointing authority from his post before the expiry of the minimum prescribed consequent upon,___

Promotion to higher post; or

Conviction charge having been framed, by a court of law in a criminal offence; or

Punishment of dismissal, removal, discharge or compulsory retirement from service or of reduction to a lower rank awarded under the relevant Discipline and Appeal Rules;

Suspension from service in accordance with the provisions or the said rules; or

Incapacitation by physical or mental illness of otherwise becoming unable to discharge his functions and duties; or

The need to fill up a Vacancy caused by promotion , transfer or retirement.

In exceptional cases, an officer may be transferred from his post by the competent authority before the expiry of his tenure for gross inefficiency , negligence or where a prima facie case of a serious nature is established after a preliminary enquiry.

Chandigarh :

The 2nd July, 2012

P.K. Chaudhary
Chief Secretary to Government, Haryana

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 emarrassment, 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 1st 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.

1. 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).
2. Offences punishable under the Prevention of Corruption Act, 1947, (II of 1947)
(These offences are not applicable to the State of Jammu & Kashmir).
3. Offences punishable under the Defence of India Act, 1962 and the Defence of India Rules framed there-under.
4. 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).
5. Offences punishable under sections 01, 52, 55 and 56 of the India Post Office Act, 1898 (VII of 1898).
6. Offences punishable under section 63, 68, 116, 538, 539, 540, 541, 542, 628, 629 and 630 of the Companies Act, 1956 (1 to 1956).
7. Offences punishable under the Indian Official Secrets Act, 1923 (XIX of 1923).
8. 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.

9. Offences punishable under section 24 (1) (iii) of the Industries (Development and Regulation) Act, 1951 (LXV of 1951) and conspiracies in relation thereto or in connection therewith.
10. Offences punishable under the Indian Wireless Telegraphy Act, 1933 (XVII of 1933).
11. Offences punishable under section 27 of the Indian Telegraph Act, 1885 (XVII of 1885)
12. Offences punishable under section 27 of the Indian Telegraph Act, 1885 (XVII of 1885)
13. 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)
14. Offences punishable under section 4 of the registration of Foreigners Act, 1939 (XVI of 1939).
15. 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.
16. Offences punishable under section 14 of the Foreigners Act, 1946 (XXXI of 1946).
17. 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

18. 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.

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

19. 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.

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

21. 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

22. 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

VI. Department of Personnel Notification No. f228/1167-AVD-II, dated 3.09.1970.

23. 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.

2. Offences punishable under the Imports and Exports (Control) Act 1947 (XVIII OF 1947);
3. Offences punishable under sections 104 and 105 of the Insurance Act 1938 (IV of 1938);
4. 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.

5. 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.

6. 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.

7. 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).

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

8. Offences punishable under section 171E and 171F of the Indian Penal Code, 1860 (48 of 1860);
9. Offences punishable under sections 31 and 32 of the Representation of the People Act, 1951 (43 of 1951); and
10. 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.

I. 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)

II. 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).

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

5. 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).

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

6. 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

1. Offences punishable under sections 13,27 and 28 of the Drugs and Cosmetics Act,1940 (23 of 1940)
2. 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.

3. 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

4. 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

5. 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

6. 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.

7. 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

8. 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.

9. 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.

10. 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.

11. Offences punishable under Sections 323,324,354,379 and 399 of the Indian Penal Code, 1860 (45 of 1860)
12. Offences punishable under Sections 25 and 26 of the Arms Act, 1959 (54 of 1959)
13. 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.

15. 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.

17. 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.

19. 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.

20. 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.

21. 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.

22. 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 23rd 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 22nd 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 22nd July 1974.

25 (a) Offences punishable under the Atomic energy Act, 1962 (33 of 1962) ; and

(b)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 7th 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 21st 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 19th 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 28th 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 15th 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 23rd 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 of 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 25th 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 26th 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 13th 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 10th 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 4th 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 19th

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 9th 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 12th 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) ;
- (c) 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 18th 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 31st 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 7th 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 22nd 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 17th 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 8th 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 21st 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.

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 18th 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 16th May,1984 for information and necessary action.

Yours faithfully.

Sd/-

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

प्रेषक

आयुक्त एवं विशेष सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

- 1- हरियाणा के सभी विभागाध्यक्ष, आयुक्त हिसार तथा अम्बाला मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय, तथा जिलों के सभी जिला एवं सत्र न्यायाधीश ।

दिनांक 11 मार्च 1985

विषय :— Sanction for prosecution against delinquent official(s) officer(s) of various Government Departments.

महादय,

मुझे उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4/1/84 -1 चौ 1 दिनांक 13 जून 1984 की ओर दिलाने तथा यह कहने का निर्देश हुआ है कि निदेशक, राज्य चौकसी ब्यूरो, हरियाणा द्वारा सरकार के ध्यान में लाया गया है कि जब किसी सरकारी कर्मचारि के विरुद्ध न्यायालय में चालान प्रस्तुत करने से पूर्व उसके अभियोजन की सैक्शन देने के लिये सक्षम प्राधिकारी से अपेक्षित सैक्शन जारी करने के लिये अनुरोध किया जाता है तो वे कई बार सम्बन्धित कर्मचारियों के बारे में अपने स्तर अथवा अपने अधीनस्थ अधिकारियों द्वारा एक सामान्तर जांच आरम्भ कर देते हैं जिससे मामले को न्यायालय में प्रस्तुत करने में अनावश्यक देरी हो जाती है । सरकार ने इस मामले पर विचार किया है और यह पाया गया है कि सक्षम प्राधिकारियों द्वारा इस प्रकार की सामान्तर जांच करना कानूनी दृष्टि से उचित नहीं है । अतः यह निर्णय लिया गया है कि भविष्य में सक्षम प्राधिकारियों को दोषी कर्मचारियों के सम्बन्ध में जो मसौदा जांच/अन्वेषण द्वारा उपलब्ध करवाया जाये वे उसी के आधार पर अभियोजन की सैक्शन यथाशीघ्र जारी कर दिया करें । यदि किसी बिन्दु पर सम्बन्धित अधिकारी सन्तुष्ट न हों तो वह आगामी कार्यवाही करने से पूर्व सम्बन्धित जांच/अन्वेषण अधिकारी से अपनी सन्तुष्टि के लिये और सामग्री भी मंगवा सकता है । यदि किसी मामले में सैक्शन देने के लिये **prima facie** केस न बनता हो तो सैक्शन डिक्लार्ड कर दिया जाया करें ताकि इस प्रकार के मामले को न्यायालयों में प्रस्तुत करने में अनावश्यक देरी न हो ।

2. कृपया इन आदेशों की कड़ी पालना हेतु सभी सम्बन्धित अधिकारियों के ध्यान में ला दिया जाये ।

3. कृपया इस पत्र की पावती भेजें ।

हस्ता/—

उप सचिव चाकसी,

कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति सभी वित्तायुक्तां तथा प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ/आवश्यक कार्यवाही हेतु अग्रेषित है ।

हस्ता/—

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

सेवा में

1. सभी वित्तायुक्त, हरियाणा सरकार,
- 2 सभी प्रशासकीय सचिव, हरियाणा सरकार ।

अशा: कमांक 4/1/84-1चौ(1)
पृष्ठाकन कमांक 4-1/84 चौ.(1)

दिनांक 11 अप्रैल 1985
दिनांक 11 अप्रैल 1985

एक प्रति निदेशक, राज्य चौकसी ब्यूरो, हरियाणा को उनके अर्ध सरकारो पत्र कमांक 13710/स.वि.ब्यू.(ह) दिनांक 28 दिसम्बर 1984 के सन्दर्भ में सूचना अग्रेषित है ।

हस्ता/-
उप सचिव चाकसो,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

प्रेषक

आयुक्त एवं विशेष सचिव,
हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष, आयुक्त हिसार तथा अम्बाला मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय तथा जिलों के सभी जिला एवं सत्र न्यायाधीश ।

दिनांक 11 मार्च 1989

विषय:— Sanction for prosecution against delinquent official/officers (s) of various Government Departments.

महादय,

मुझे आप का ध्यान उपरोक्त विषय पर हरियाणा सरकार के परिपत्र क्रमांक 4/1/84 —1चा0 1 दिनांक 11 अप्रैल 1985 की ओर दिलाने का निर्देश हुआ है जिस में यह उल्लेख किया गया था कि किसी दोषी सरकारी कर्मचारी के विरुद्ध न्यायालय में चालान प्रस्तुत करने से पूर्व उस के अभियोजन की सैक्शन के बारे में निर्णय लेते समय सक्षम प्राधिकारी द्वारा दाषी कर्मचारों के विरुद्ध अपने स्तर पर अथवा अपने अधीनस्थ अधिकारियों द्वारा कोई सामान्तर जांच आरम्भ न करवाते हुए अभियोजन की सैक्शन उसी मसौदों के आधार पर जारी कर दी जाया करें जो उन्हें जांच/अन्वेषण अधिकारी द्वारा उपलब्ध करवाया जाए और यदि किसी बिन्दु पर सम्बन्धित अधिकारी सन्तुष्ट न हो तो वह आगामी कार्यवाही करने से पूर्व सम्बन्धित जांच/अन्वेषण अधिकारी से अपनी सन्तुष्टि के लिये और सामग्री भी मंगवा सकता है । इन हिदायतों में यह भी उल्लेख किया गया था कि यदि किसी मामले में अभियोजन की सैक्शन देने के लिये (**prima facie**) केस न बनता हो तो सैक्शन डिक्लार्न कर दी जाया करें ताकि इस प्रकार के मामलों को न्यायालय में प्रस्तुत करने में अनावश्यक देरी न हो । महानिदेशक, राज्य चाकसी ब्यूरो, हरियाणा द्वारा सरकार के ध्यान में लाया गया है कि बहुत से प्राधिकारियों द्वारा इन हिदायतों का दृढ़ता से पालन नहीं किया जा रहा है जिस से मामले का न्यायालय में प्रस्तुत करने में अनावश्यक देरी हो रही है । इस के अतिरिक्त यह भी बताया गया है कि कई बार ऐसे मामलों में विभाग अपने स्तर पर एक (**parallel**) जांच करना आरम्भ कर देते हैं जिस से न केवल देरी होती है बल्कि ऐसी (**parallel**) जांच कानूनो दृष्टि से भी ठीक नहीं है । अतः आपसे पुनः अनुरोध किया जाता है कि सन्दर्भाधीन पत्र द्वारा जारी की गई हिदायतों का भविष्य में दृढ़ता से पालन किया जाये ।

कृपया इसको पावती भेजें ।

हस्ता/—

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

एक प्रति सभी वित्तायुक्त तथा आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है ।

हस्ता/—
उप सचिव चाकसो,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. सभी वित्तायुक्त , हरियाणा सरकार,
- 2 सभी आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार ।

अशा: कमांक 4/1/86-1चौ(1)
पृष्ठाकन कमांक 4/1/86-2चौ(1)

दिनांक 11 मार्च 1989
दिनांक 11 मार्च 1989

एक प्रति महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा को उनके अर्ध सरकारी पत्र कमांक 2852 एस.बी.बी.(एच) दिनांक 2 मार्च 1989 के सन्दर्भ में सूचनार्थ भेजी जाती है ।

हस्ता/—
उप सचिव चाकसो,
कृते: मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग ।

कमांक 1/15/78-1चा(1)

प्रेषक

आयुक्त एवं विशेष सचिव, हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त हिसार तथा अम्बाला मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय तथा सभी जिला एवं सत्र न्यायाधीश ।

दिनांक 19 मई 1989

विषय :- चौकसी विभाग द्वारा लगाई जाने वाली घातों/रेडज में राजपत्रित अधिकारियों का सहयोग ।

महादय,

मुझे आप का ध्यान उपरोक्त विषय पर हरियाणा सरकार के परिपत्र क्रमांक 1/15/78-1 चाँ01 दिनांक 25 जनवरी 1983 की ओर दिलाने का निर्देश हुआ है जिस में यह उल्लेख किया गया है कि सरकारो कर्मचारो विशेषतया राजपत्रित अधिकारी, चौकसी विभाग के अनुरोध पर उनके द्वारा आयोजित किये गये ट्रैप/रेड में सहयोग देने व उन्हें विटनैस करने में टालमटोल करते हैं । सरकार ने यह स्पष्ट करते हुए कि वह रेड/ट्रैप के सफल अनुसंधान/सफल अभियोजन को अत्यन्त महत्वपूर्ण समझता है, सभी कर्मचारियों विशेषतया राजपत्रित अधिकारियों को यह निर्देश दिया था कि जब भी चौकसी विभाग के अधिकारी सहयोग/सहायता के लिये उनके पास आयें तो वे उन्हें अपना पूर्ण सहयोग सहायता प्रदान करें । सरकार के नोटिस में आया है कि इन हिदायतों का दृढता से पालन नहीं किया जा रहा है । इस सम्बन्ध में सरकार ने अब यह भी निर्णय लिया है कि राज्य चौकसी ब्यूरो की रेडिंग पार्टी में शामिल होने वाले अधिकारी द्वारा रेड किये जाने के तुरन्त पश्चात रेड की वास्तविक स्थिति की रिपोर्ट अपने वरिष्ठ अधिकारी **Next Superior Authority** को बिना चूक भेजी जाया करें । अतः आपसे अनुरोध किया जाता है कि इन हिदायतों को सभी अधिकारियों के ध्यान में पुनः कड़ी अनुपालना हेतु ला दिया जाये ।

कृपया इस पत्र की पावती भेजें ।

भवदीय

हस्ता/—

अवर सचिव, चौकसी,

कृते: आयुक्त एवं विशेष सचिव, हरियाणा सरकार,
चौकसी विभाग ।

पृ. क्रमांक 1/15/78-1 चौ0 1

दिनांक 19 मई 1989

एक प्रति महानिदेशक,राज्य चौकसी ब्यूरो,हरियाणा को उनके अर्ध सरकारी पत्र कमांक 2852 एस.बी.बी.एच) दिनांक 2 मार्च 1989 के सन्दर्भ में सूचनार्थ भेजी जाती है ।

हस्ता/—
अवर सचिव,चाकसो,
कृते: आयुक्त एवं विशेष सचिव,हरियाणा सरकार,
चौकसी विभाग ।

एक प्रति सभी वित्तायुक्त तथा आयुक्त एवं प्रशासकीय सचिव,हरियाणा सरकार को सूचनार्थ भेजी जाती है ।

हस्ता/—
अवर सचिव,चाकसो,
कृते: आयुक्त एवं विशेष सचिव,हरियाणा सरकार,
चौकसी विभाग ।

सेवा में

सभी वित्तायुक्त तथा आयुक्त एवं सचिव, हरियाणा सरकार ।

अशा : कमांक 1/15/78-1चौ(1)

दिनांक 19 मई 1989

तत्काल

कमांक 4/1/84-चौ 1

प्रेषक

मुख्य सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष, आयुक्त अम्बाला, हिसार, रोहतक तक गुडगांव मण्डल एवं हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय तथा जिलों के सभी जिला एवं सत्र न्यायाधीश ।

दिनांक चण्डीगढ़ 11 जुलाई 2003

विषय :- Sanction for prosecution against delinquent official(s) of various Government Departments.

महादय,

उपरोक्त विषय पर मुझे आपका ध्यान हरियाणा सरकार के परिपत्र कमांक 4/1/84-चौ 1 दिनांक 11 मार्च 1989 की आर दिलाने तथा यह कहने का निर्देश हुआ है कि सरकार द्वारा समय-2 पर जारी की गई हिदायतों के अनुसार किसी दोषी सरकारी कर्मचारी के विरुद्ध न्यायालय में चालान प्रस्तुत करने से पूर्व उसके अभियोजन की स्वीकृति के बारे में निर्णय लेते समय सक्षम प्राधिकारी द्वारा दोषी कर्मचारों के विरुद्ध अपने स्तर पर अथवा अपने अधीनस्थ अधिकारियों द्वारा काइ समानान्तर जांच आरम्भ न करवाते हुए अभियोजन की स्वीकृति उसी मसौदे के आधार पर जारी कर दी जाये करें जो उन्हें जांच/अन्वेषण अधिकारी द्वारा उपलब्ध करवाया गया है । यदि किसी बिन्दु पर सम्बन्धित अधिकारी सन्तुष्ट न हो ता वह अब आगामी कार्यवाही करने से पूर्व सम्बन्धित जांच/अन्वेषण अधिकारी से अपनी सन्तुष्टि के लिये और सामग्री भी मंगवा सकता है । अगर किसी मामले में स्वीकृति देने के लिये प्रथम दृष्टि से केस न बनता हो तो स्वीकृति न दी जाये ताकि मामले को न्यायालयों में प्रस्तुत करने में अनावश्यक देरी न हो ।

2. महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा द्वारा सरकार के ध्यान में यह लाया गया है कि बहुत से पाधिकारियां द्वारा सरकार की इन हिदायतों की पालना नहीं की जा रही है और ऐसे मामलों को न्यायालयों में प्रस्तुत करने में अनावश्यक देरी हो रही है । इस सम्बन्ध में चौकसी विभाग द्वारा भी समय समय पर स्मरण पत्र/अर्ध सरकारी पत्र सम्बन्धित सक्षम प्राधिकारियों को लिखने के बावजूद भी अपेक्षित अभियोजन की स्वीकृति जारी नहीं की जा रही है । सरकार ने इसे बड़ी गम्भीरता से लिया है और यह निर्णय लिया है कि भविष्य में अभियोजन की स्वीकृति जारी करने की त्रिमाही रिपोर्ट के अन्दर अर्थात् 15 अप्रैल, 15 जुलाई, 15 अक्टूबर और 15 जनवरी तक चौकसी विभाग में अवश्य भेजे जिस में ऐसे तमाम मामलों में स्वीकृति जारी न किये जा सकने के कारणों का विवरण भी दिया हो । किसी अन्य अधिकारी द्वारा हस्ताक्षर करके भेजी गई रिपोर्ट सरकार को मान्य नहीं होगी । अतः आपसे पनः अनुरोध किया जाता है कि ऐसे मामलों में सरकार की हिदायतों का भविष्य में दृढ़ता से पालन करना सुनिश्चित किया जाये ।

कृपया इसको पावती भेजे ।

भवदोय

हस्ता/—

अवर सचिव,चाकसो,

कते: मुख्य सचिव,हरियाणा सरकार,

चाकसो विभाग ।

एक प्रति सभी वित्तायुक्त/प्रधान सचिव तथा आयुक्त एवं प्रशासकीय सचिव,हरियाणा सरकार की सूचनार्थ एवं आवश्यक कार्यवाही हेतू भेजी जाती है ।

हस्ता/—

अवर सचिव,चाकसो,

कते: मुख्य सचिव,हरियाणा सरकार,

चाकसो विभाग ।

सेवा में

1. सभी वित्तायुक्त/पधान सचिव,हरियाणा सरकार,

2. सभी आयुक्त एवं प्रशासकीय,हरियाणा सरकार ।

अशा: कमांक 4/1/84-1चौ(1)

दिनांक 11 जूलाई 2003

पृष्ठाकन कमांक 4/1/84-1चौ(1)

दिनांक 11 जुलाई 2003

एक प्रति हरियाणा राज्य के सभी प्रबन्धक निदेशक,बोर्ड/कारपोरेशन को सूचनार्थ एवं आवश्यक कार्यवाही हेतू भेजी जाती है ।

हस्ता/—

अवर सचिव,चाकसो,

कते: मुख्य सचिव,हरियाणा सरकार,

चाकसो विभाग ।

पृष्ठाकन कमांक 4/1/84-1चौ(1)

दिनांक 11.7.2003

एक प्रति निदेशक,राज्य चौकसी ब्यूरो,हरियाणा सी-10 सैक्टर-6 पंचकूला को सूचनार्थ एवं आवश्यक कार्यवाही हेतू भेजी जाती है ।

हस्ता/—

अवर सचिव,चाकसो,

कते: मुख्य सचिव,हरियाणा सरकार,

चाकसो विभाग ।

प्रेषक

वित्तायुक्त(गृह)सचिव,
हरियाणा सरकार,चौकसी विभाग ।

सेवा में

1. सभी विभागाध्यक्ष आयुक्त,अम्बाला मण्डल तथा हरियाणा राज्य के सभी उपायुक्त ।
2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय तथा हरियाणा राज्य के सभी जिला एवं सेशन न्यायाधीश ।

दिनांक चण्डीगढ़ 13.4.72

विषय :- रिश्वतखोर सरकारो कर्मचारियों पर घात लगाने की नीति ।

महादय,

मुझे निर्देश हुआ ह मैं आपका ध्यान उपर दिये विषय पर चौकसी विभाग क पत्र संख्या 2273-1चौ(1)-70/23313/ए दिनांक 1 सितम्बर 1970 की ओर दिलाऊ आर यह बताऊ कि राज्य सरकार ने रिश्वतखोर सरकारी कर्मचारियों पर विशेष जांच अभिकरण द्वारा छापे मारने के मामलों पर फिर विचार किया है तथा यह निर्णय लिया गया है कि इस बारे में निम्नलिखित ठोस उपाय किये जाए :-

1. राज्य मुख्यालय के अराजपत्रित कर्मचारियों पर छापे मारने के लिये निदेशक,विशेष जांच अभिकरण अपने अमले को निर्देश देने के लिये समर्थ होंगे,परन्तु ऐसे निर्देश देने से पूर्व वह सम्बन्ध विभागाध्यक्ष से सलाह करेंगे ।
2. विशेष जांच अभिकरण के अधिकारी जिन्हे छापे मारने के लिये कानून द्वारा अधिकार दिया गया **Authorised**) है क्षेत्र **(Field)** में काम करने वाले अराजपत्रित सरकारी कर्मचारियों के सम्बन्ध में ऐसा करन के लिये समर्थ होंगे, परन्तु इस प्रकार के छापे मारने से पहले उस जिले के उपायुक्त को विशेष आज्ञा **(Specific permission)** प्राप्त करेंगे ।
3. राजपत्रित कर्मचारियों पर छापे मारने के आदेश सचिव,हरियाणा सरकार,चौकसी विभाग द्वारा निदेशक विशेष जांच अभिकरण को दिये जाएंगे । आई.सी.एस.,आई.ए. एस. तथा एच.सी.एस. (कार्यकारी शाखा) अधिकारियों पर छापे मारने के आदेश देने से पहले सचिव,चौकसी विभाग,मुख्य सचिव का पूर्व अनुमोदन **(Prior approval)** प्राप्त करेंगे । आई.पी.एस.अधिकारियों पर छापे मारने से पूर्व सचिव,चौकसी सचिव,गृह विभाग से अनुमोदन **(Prior approval)** प्राप्त करेंगे ।

जिला तथा अतिरिक्त जिला सेशन न्यायाधीशों तथा एच.सी.एस. (न्यायिक शाखा) के सदस्यों पर छापा मारने से पूर्व निदेशक, विशेष जांच अभिकरण हाई कोर्ट का अनुमोदन पहले प्राप्त करेंगे । जिला एवं सेशन न्यायालयों में काम कर रहे अराजपत्रित अमले पर छापे मारने के लिये हकदार चौकसी विभाग का अधिकारी जिला एवं सेशन न्यायाधीश या उसकी अनुपस्थिति में अमले प्रवर न्यायिक अधिकारी **(Next के सदस्यों पर छापा मारने से पूर्व निदेशक, विशेष जांच अभिकरण हाई कोर्ट का अनुमोदन पहले प्राप्त करेंगे । जिला एवं सेशन न्यायालयों में काम कर रहे अराजपत्रित अमले पर छापे मारने के लिये हकदार चौकसी विभाग का अधिकारी जिला एवं सेशन न्यायाधीश या उसकी अनुपस्थिति में अमले प्रवर न्यायिक अधिकारी (Next Senior Judicial Officer) से पूर्व अनुमोदन प्राप्त करेगा ।**

3. यह फिर कहा जाता है कि उपरोक्त कार्यवाही करते समय यह ध्यान रहें कि इसमें किसी का तंग न किया जाए तथा छापे केवल तभी मारे जाएं जब विशेष शिकायत मिली हो वरना नहीं । इसके अलावा किसी भी हालात में छापे मारने को आज्ञा देने के समर्थ (Competent) प्राधिकारियों के अनुमोदन की कल्पना कर बैठना ठीक न होगा । ऐसे प्राधिकारियों को भी कार्योत्तर अनुमोदन (Ex.-post facto sanction) देने की आज्ञा नहीं होगी ।
4. यह अनुरोध है कि ये हिदायतें जो सभी कर्मचारियों जिनमें पंजाब एवं हरियाणा के हाई कोर्ट के अधीन कार्य करने वाले कर्मचारी भी शामिल हैं, पर लागू होते हैं को सूचनार्थ एवं पालनार्थ सभी सम्बद्ध अधिकारियों एवं कर्मचारियों के ध्यान में लाएं जाए ।

हस्ता/—

उप सचिव चाकसो,
कृते: वित्तायुक्त गृह एवं सचिव,
हरियाणा सरकार,
चाकसो विभाग ।

कमांक 1244—1चौ(11)—72/9513

दिनांक चण्डीगढ़ 13.4.72

एक प्रति निदेशक,विशेष जांच अभिकरण,हरियाणा को उनके ज्ञापन संख्या 3480 चौकसी दिनांक 9.9.70के सन्दर्भ में सूचनार्थ एवं आवश्यक कार्यवाही के लिये भेजी जाती है ।

हस्ता/—

उप सचिव चाकसो,
कृते: वित्तायुक्त गृह एवं सचिव,
हरियाणा सरकार,
चाकसो विभाग ।

एक प्रति :-

1. हरियाणा में सभी वित्तायुक्तों
2. मुख्य सचिव,हरियाणा सरकार तथा
3. हरियाणा सरकार के सभी प्रशासनिक सचिवों को सूचनार्थ तथा आवश्यक कार्यवाही के लिये भेजी जाती है ।

हस्ता/—

उप सचिव चाकसो,
कृते: वित्तायुक्त गृह एवं सचिव,
हरियाणा सरकार,
चाकसी विभाग ।

सेवा में

1. सभी वित्तायुक्त,हरियाणा ।
2. मुख्य सचिव,हरियाणा सरकार तथा सभी प्रशासनिक सचिव,हरियाणा सरकार ।

अशा: कमांक 1244—/चौ.(11)—72/

दिनांक चण्डीगढ़ 13.4.72

विषय :- Anonymous शिकायत का निपटान ।

क्या वित्तायुक्त राजस्व, हरियाणा तथा हरियाणा के सभी प्रशासकीय सचिव कृपया उपरोक्त विषय की ओर ध्यान देंगे ?

संयुक्त पंजाब सरकार के परिपत्र क्रमांक-4डब्ल्यू-11-111 -2-1955/6592 दिनांक 23.3.1985 (जोकि मुख्य सचिव,पंजाब सरकार की आर से जारी किया गया था)के अनुसार सभी एनोनिमस शिकायतों को रद्द/डिस्ट्रोय किया जाना होता है। ऐसी शिकायतों के बारे चौकसी विभाग के परिपत्र क्रमांक 2602-बी(1)-67/10001, दिनांक 17.6.67 के अनुसार जो नीति अपनाई जाती है उस में भी एनोनिमस शिकायतों साधारणतया रद्द/डिस्ट्रोय की जाती है । शिकायतकर्ता के आमतार पर अपने आरोपों की पुष्टि में हल्फानामा भेजने के लिय लिखा जाता है फिर भी यदि चौकसी विभाग को किसी शिकायत में कोई विशेष तथा **Verifiable data** दिखाई दें तो चौकसी विभाग को यह पूरा अधिकार है कि वह एनोनिमस शिकायतों के बारे तफ्तीश/जांच जारी करवा सकते हैं ।

हरियाणा सरकार ने एनोनिमस शिकायतों के भुगतान के लिये चौकसी विभाग में सचिवालय स्तर पर अवर सचिव,चौकसी विभाग के अधीन एक विशेष सैल बनाने का निर्णय लिया है यह भी निर्णय लिया गया है कि जो भी एनोनिमस शिकायतें किसी भी विभाग में या उच्च स्तर पर प्राप्त हों ता उनका निपटान वें स्वयं न करें अपितु ये शिकायतें मूलरूप में अवर सचिव,चौकसी के नाम चौकसी विभाग में बनाए गये कथित सैल को अग्रेषित कर दी जाए। इन शिकायतों पर जो भी कार्यवाही की जानी होगी, वह इस सैल द्वारा ही की जाया करेगी ।

हस्ता/-
सचिव,
हरियाणा सरकार,
चाकसी विभाग ।

सेवा में

वित्तायुक्त राजस्व,हरियाणा ।
हरियाणा के सभी प्रशासकीय सचिव ।

अशा: क्रमांक 5476-1चौ-1-74
क्रमांक 5476-1चौ (1)-74/26457

दिनांक 7.11.74
दिनांक 7.11.74

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

हरियाणा राज्य के विभागाध्यक्ष,आयुक्त अम्बाला तथा हिसार मण्डल ।

सभी उपायुक्त,उप मण्डल अधिकारी(सिविल) हरियाणा ।

रजिस्ट्रार पंजाब एवं हरियाणा हाई कोर्ट । जिला तथा सत्र न्यायाधीश

उनसे अनुरोध है कि जो एनोनिमस शिकायतें विभागों द्वारा भजी जाए उसके साथ सलग्न प्रतियों में सूचना भी भेजी जाए ताकि शिकायतों के निपटान में सुविधा हा ।

हस्ता/-
सचिव,
हरियाणा सरकार,
चाकसी विभाग ।

विषय :- एनोनिम्स/सिडोनिम्स शिकायतों का निपटान ।

क्या वित्तायुक्त राजस्व,हरियाणा सरकार तथा हरियाणा के सभी प्रशासकीय सचिव कृपया उपराक्त विषय पर चौकसी विभाग के अशा कमांक 5476-1चौ-1-74 दिनांक 7.11.74 तथा अशा कमांक 1449-1चौ(1)-75 दिनांक 23.5. 1975 की ओर ध्यान दें ?

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

हस्ता/-

उप सचिव चाकसो,

कते: सचिव,हरियाणा सरकार,

चाकसो विभाग ।

सेवा में

1. वित्तायुक्त राजस्व,हरियाणा,

3. हरियाणा के सभी प्रशासकीय सचिव ।

4.

अशा कमांक 1728-1चौ(1)-77

दिनांक 4 मई 1977

कमांक 1728-1चौ(1)-77

दिनांक 4 मई 1977

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

हरियाणा राज्य के विभागाध्यक्ष,आयुक्त अम्बाला तथा हिसार मण्डल ।

सभी उपायुक्त,उप मण्डल अधिकारी(सिविल) हरियाणा ।

रजिस्ट्रार पंजाब एवं हरियाणा हाई कोर्ट । जिला तथा सत्र न्यायाधीश ।

हस्ता/-

उप सचिव चाकसो,

कते: सचिव,हरियाणा सरकार,

चाकसो विभाग ।

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

हस्ता/-

उप सचिव चाकसो,

कते: सचिव,हरियाणा सरकार,

चाकसो विभाग ।

सेवा में

निजी सचिव सलाहकार राज्यपाल,हरियाणा

अशा कमांक 1728-चौ(1)-77

दिनांक 4 मई 1977

कमांक 1/32/79-1चा(1)

प्रेषक

आयुक्त एवं सचिव, हरियाणा सरकार, चौकसी विभाग ।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, अम्बाला तथा हिसार, मण्डलों के कमीशनर ।
2. राज्य के सभी उपायुक्त तथा जिला एवं सत्र न्यायाधीश और रजिस्ट्रार पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़ ।

दिनांक चण्डीगढ़ 27.11.1979

विषय :- विभागाध्यक्षों तथा कार्यालयों अध्यक्षों द्वारा राज्य चौकसी ब्यूरो के अधिकारियों को जांच में सहयोग न देने बारे में ।

महादय,

मुझे निर्देश हुआ है कि मैं आप का ध्यान उपरोक्त विषय पर हरियाणा सरकार के पत्र कमांक 3710 चौ(1)-67/17423 दिनांक 14.9.1967 (प्रति सलग्न है) की आर दिलाते हुए अनुरोध करूँ कि पायः देखने में आया है कि राज्य चाकसो ब्यूरो, हरियाणा के अनुसंधान अधिकारियों को ब्यूरो द्वारा जांचाधीन मामलों के रिकार्ड उपलब्ध करवाने में विभाग पूर्ण सहयोग नहीं देते हैं, विशेषकर उन परिस्थितियों में जबकि उन्हीं आरोपों के बारे में विभाग के द्वारा अपने स्तर पर प्रारम्भिक विभागीय जांच की जा रही हैं ।

इस सम्बन्ध में निर्णय लिया गया है कि निदेशक, राज्य चौकसी ब्यूरो के अधिकारियों को जांचाधीन मामलों का रिकार्ड इत्यादि उपलब्ध करवाने में पूर्ण सहयोग दिया जाये । यदि उन्हीं मामलों में विभागोय स्तर पर मामलों में छोड़कर जहाँ पंजाब सिविल सेवार्ये (दण्ड तथा अपील) नियमावली 1952 के नियम-7 के अधीन विभाग द्वारा जांच अधिकारी नियुक्त किया जा चुका हो) प्रारम्भिक जांच की जा रही तो विभाग द्वारा यह जांच अविलम्ब बन्द कर दी जाये तथा अपेक्षित मामलों से सम्बन्धित रिकार्ड/प्रलेख राज्य चौकसी ब्यूरो के अनुसंधानाधिकारी को तुरन्त उपलब्ध करवा दिया जाये जब भी इस बारे में उन से सम्पर्क किया जाए ।

2 अतः आपसे अनुरोध है कि इन हिदायतों को दृढतापूर्वक अनुपालना हेतु अपने अधीनस्थ अधिकारियों/कर्मचारियों के ध्यान में ला दिया जाये और उन्हें यह स्पष्ट कर दिया जाए कि उपरोक्त अनुदेशों की उल्लंघना को गम्भीरता पूर्वक लिया जायेगा ।

हस्ता/-

अवर सचिव चाकसो,

कृते: आयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग ।

अशा: कमांक 1/32/79-1चा(1)

दिनांक 27.11.1979

एक प्रति निदेशक, राज्य चौकसी ब्यूरो, हरियाणा का सूचनार्थ अग्रेषित है ।

हस्ता/-

अवर सचिव चाकसो,

कृते: आयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग ।

एक प्रति :-

1. वित्तायुक्त एवं सचिव, हरियाणा सरकार, राजस्व विभाग तथा वित्तायुक्त एवं अतिरिक्त मुख्य सचिव, हरियाणा सरकार ।
2. हरियाणा सरकार के सभी प्रशासकीय सचिवों को सूचनार्थ हतू अग्रेषित है ।

हस्ता/-

अवर सचिव चाकसो,
कते: आयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग ।

सेवा में

1. वित्तायुक्त एवं सचिव, हरियाणा सरकार, राजस्व विभाग तथा वित्तायुक्त एवं अतिरिक्त मुख्य सचिव, हरियाणा सरकार ।
- 2- हरियाणा सरकार के सभी प्रशासकीय सचिव ।

अशा: कमांक 21/32/79-1चौ(1)

दिनांक 27.11.1979

No. 1/15/78-I Vig. (1)

From

The Financial Commissioner and Secretary to
Government, Haryana, Vigilance Department.

To

1. Commissioners of Ambala and Hisar Divisions.
2. All Heads of Departments in the State.
3. All the Deputy Commissioners.
4. Registrar, Punjab and Haryana High Court and all the District and Sessions Judges in Haryana.

Dated, Chandigarh, the 25th 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 25th 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 25th January, 1983.

नं० 1/15/78-1 चौ० 1

प्रेषक

वित्तायुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग।

सेवा में

अम्बाला तथा हिसार मण्डलों के आयुक्त।

राज्य के सभी विभागाध्यक्ष।

राज्य के सभी उपायुक्त।

रजिस्ट्रार पंजाब तथा हरियाणा उच्च न्यायालय तथा राज्य के सभी जिला तथा सत्र न्यायाधीश।

दिनांक चण्डीगढ़ 25 जनवरी, 1983

विषय:— चौकसी विभाग द्वारा लगाई जाने वाले घातों/रेड में राजपत्रित अधिकारियों का सहयोग।

महादय,

मुझे निर्देश हुआ है कि मैं आपको उपरोक्त विषय पर सम्बोधित करते हुए अनुरोध करूँ कि सरकार के ध्यान में यह आया है कि सरकारी कर्मचारों विशेषतः राजपत्रित अधिकारी चौकसी विभाग के अनुरोध पर उनके द्वारा आयोजित किये गये (Traps/raids) में सहयोग देने व उन्हें विटनैस करने में टालमटोल करते हैं। सरकार यह स्पष्ट करती है वह रेड/ट्रप के सफल अनुसंधान/सफल अभियोजन को अत्यन्त महत्वपूर्ण समझती है। इस स्थिति के दृष्टिगत सरकार अपने कर्मचारियों से विशेषतः राजपत्रित अधिकारियों से अपेक्षा करती है कि जब भी चौकसी विभाग के अधिकारी सहायता/सहयोग के लिए उनके पास आर्यें तो वे उन्हें अपना पूर्ण सहयोग/सहायता प्रदान करें। चौकसी विभाग के अधिकारियों को इस सम्बन्ध में निर्देश दिये जा रहे हैं कि जब किसी राजपत्रित अधिकारी का सहयोग/सहायता विषयोक्त मामले में अपेक्षित हो तो वे सम्बन्धित अधिकारी को इस पत्र की प्रति प्रस्तुत करके उनसे अपेक्षित सहयोग प्राप्त कर सकते हैं। तदनुसार आपसे अनुरोध है कि इन अनुदेशों को सभी अधिकारियों के ध्यान में अनुपालना हेतु ला दिया जाये।

कृपया इस पत्र की पावती भेजें।

भवदीय

हस्ता/—

अवर सचिव, चाकसो,

कृते : वित्तयुक्त एवं सचिव, हरियाणा सरकार,

चाकसो विभाग।

पृ० सं० 1/15/78-1 चौ० (1)

दिनांक 25.01.83

एक प्रति निदेशक राज्य चौकसी ब्यूरो, हरियाणा, का उनके पत्र क0
13189/स:वि:ब्यू: (ह) दिनांक 2-11-1982 के संदर्भ में सूचनार्थ तथा
तुरन्त/आवश्यक कार्यवाही हेतु अग्रेषित है।

हस्ता/—

अवर सचिव, चाकसो,

कृते : वित्तयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग।

एक प्रति हरियाणा सरकार के सभी प्रशासकीय सचिवों का सूचनार्थ अग्रेषित है।

हस्ता/—

अवर सचिव, चाकसो,

कृते : वित्तयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग।

सेवा में

हरियाणा सरकार के सभी प्रशासकीय सचिव।

अशा: कमांक 1/15/78-1 चौ0 (1)

दिनांक 25-1-83

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 14th Sept. 1987.

कमांक 4/17/89-1 चौ0 (1)

प्रेषक

मुख्य सचिव, हरियाणा सरकार,
चाकसी विभाग।

सेवा में

हरियाणा के सभी विभागाध्यक्ष।
अम्बाला, हिसार, रोहतक, गुड़गांव मण्डलों के आयुक्त, हरियाणा के सभी उपायुक्त तथा
उप मण्डल अधिकारी (नागरिक)।
रजिस्ट्रार पंजाब तथा हरियाणा उच्च न्यायालय तथा राज्य के सभी जिला एवं सत्र
न्यायाधीश।

दिनांक 24-1-90

विषय:— रिश्वतखोर सरकारों कर्मचारियों पर घात लगाने की नीति।

महादय,

मुझे निर्देश हुआ है कि मैं आपका ध्यान उपरोक्त विषय पर चौकसी विभाग के परिपत्र
कमांक 1244-1 चौ0 (2)-72/9512, दिनांक 13 अप्रैल, 1972 (प्रति सलग्न है) की और दिलाऊँ और
बताऊँ कि राज्य सरकार ने रिश्वतखोर राजपत्रित श्रेणी-2 (ग्रुप बी) के अधिकारियों पर राज्य चाकसी
ब्यूरो, हरियाणा द्वारा छापे मारने के मामले पर फिर से विचार किया गया और विचारोपरान्त यह निर्णय
लिया गया है कि संदर्भाधीन परिपत्र के पैरा-1 के सब पैरा 3 में से राजपत्रित श्रेणी-2 (ग्रुप बी) के
अधिकारियों पर निदेशक, राज्य चौकसी ब्यूरो द्वारा छापे मारने के लिये अनुमति/आदेश प्रदान
करने में सचिव चौकसी की बजाय संबंधित प्रशासकोय सचिव अब सक्षम होंगे। जहाँ तक अन्य श्रेणी के
कर्मचारियों/अधिकारियों पर छापे मारन का संबंध है उनके बारे में संदर्भाधीन परिपत्र द्वारा जारी की
गई हिदायतों में कोई परिवर्तन नहीं किया गया है।

3. आपसे अनुरोध है कि इन हिदायतों का दृढ़ता से पालन किया जाये तथा इस पत्र
की पावती भी भेजी जाये।

भवदोया,

हस्ता/—

अवर सचिव, चाकसी,
कते:मुख्य सचिव, हरियाणा सरकार,
चाकसी विभाग।

कमांक 4/17/89-1 चौ0 (1) दिनांक

एक प्रति निदेशक, राज्य चौकसी ब्यूरो, हरियाणा, चंडीगढ़ को सूचनार्थ एवं आवश्यक
कार्यवाही हेतु भेजी जाती है।

हस्ता/—

अवर सचिव, चाकसी,
कते:मुख्य सचिव, हरियाणा सरकार,
चाकसी विभाग।

एक—एक प्रति निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हत, भजो जातो है।
सभी वित्तायुक्त, हरियाणा सरकार।
सभी प्रशासकीय सचिव, हरियाणा सरकार।

हस्ता/—
अवर सचिव, चाकसो,
कते:मुख्य सचिव, हरियाणा सरकार,
चाकसी विभाग।

सेवा में

सभी वित्तायुक्त, हरियाणा सरकार।
सभी प्रशासकीय सचिव, हरियाणा सरकार।

अषा: कमांक 4/17/89—1 चौ0 (1)

दिनांक

कमांक 4/8/91-1 चा0 (1)

प्रेषक

मुख्य सचिव, हरियाणा सरकार,
चाकसो विभाग।

सेवा में

हरियाणा राज्य के सभी विभागाध्यक्ष।

अम्बाला, हिसार, रोहतक, गुड़गांव मण्डलों के आयुक्त, हरियाणा के सभी उपायुक्त तथा
उप मण्डल अधिकारी नागरिक।

रजिस्ट्रार पंजाब तथा हरियाणा उच्च न्यायालय तथा राज्य के सभी जिला एवं सत्र
न्यायाधीश।

दिनांक 24-10-1991

विषय:- भ्रष्ट अधिकारियों/कर्मचारियों का रंगे हाथों पकड़वाने वाले व्यक्ति को 500 रुपये नगद
इनाम तथा प्रशंसापत्र देने बारे।

महादय,

मंजूर निदेश हुआ है कि मैं आप का ध्यान उपराक्त विषय की ओर दिलाऊँ और सूचित
करूँ कि राज्य सरकार ने भ्रष्टाचार विरोध गतिविधियों को मजबूत करने के लिए और जनता को इस
प्रयत्न में सम्मिलित करने के लिये सरकार ने निर्णय लिया है कि जो भी व्यक्ति भ्रष्ट अधिकारी/कर्मचारी
को रंगे हाथों पकड़वायेगा उसे प्रोत्साहित करने के लिए सरकार द्वारा 500 रुपए नगद बतौर इनाम दिया
जायेगा। इसके अतिरिक्त प्रशंसापत्र भी दिया जायेगा।

3. यह इनाम पुलिस विभाग और राज्य चौकसी ब्यूरो द्वारा दिया जायेगा।

भवदोय।

हस्ता/-

अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

कमांक 4/8/91-1 चा0 (1) दिनांक 24-10-1991

एक प्रति पुलिस महानिदेशक, हरियाणा को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी
जाती है।

हस्ता/-

अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

पृ0 कमांक 4/8/91-1 चौ0 (1)

दिनांक 24-10-1991

एक प्रति महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा, चण्डीगढ़ को आवश्यक कार्यवाही हेतु
भेजी जाती है।

2 राज्य चौकसी ब्यूरो यह खर्चा स्वीकृत बजट ग्रांट के अन्तर्गत करेगा और यदि आवश्यक
हो तो संशोधित अनुमानों के समय अधिक राशि की मांग कर ली जाए।

हस्ता/-
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है।
सभी वित्तायुक्त, हरियाणा सरकार।
सभी आयुक्त एवं सचिव, हरियाणा सरकार।

हस्ता/-
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

सभी वित्तायुक्त, हरियाणा सरकार।
सभी आयुक्त एवं सचिव, हरियाणा सरकार।

अषा: कमांक 4/8/91-चौ0 (1)

दिनांक 24-10-1991

एक प्रति वित्तायुक्त एवं सचिव, हरियाणा सरकार गृह विभाग को इस अनुरोध के साथ भेजी जाती है कि यदि पुलिस विभाग को उक्त कार्यक्रम के लिए राशि की आवश्यकता हो तो गृह विभाग मामले में प्रस्ताव सीधे ही वित्त विभाग को भेजें।

हस्ता/-
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

वित्तायुक्त एवं सचिव, हरियाणा सरकार, गृह विभाग।

अषा: कमांक 4/8/91-1 चौ0 (1)

दिनांक 24-10-1991

एक प्रति वित्तायुक्त एवं सचिव, हरियाणा सरकार, वित्त विभाग को उनके अशा: कमांक 5 (41)-4 एफ0 जी0-13056 दिनांक 4-10-91 द्वारा दी गई मंत्रणा के संदर्भ में सूचनार्थ भेजी जाती है।

हस्ता/-
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

सेवा में

वित्तायुक्त एवं सचिव, हरियाणा सरकार, वित्त विभाग।

अशा: कमांक 4/8/91-1 चौ0 (1)

दिनांक 24-10-1991

(To be substituted for the letter bearing same number and date)

क्रमांक 4 / 17 / 89-1चौ01

प्रेषक

मुख्य सचिव, हरियाणासरकार,
चौकसी विभाग।

सेवा में

1. सभी अतिरिक्त मुख्य सचिव एवं सभी प्रशासकीय सचिव।
2. सभी विभागाध्यक्ष।
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़।
4. सभी जिला एवं सत्र न्यायाधीश।
5. आयुक्त अम्बाला, हिसार, रोहतक तथा गुडगांव मण्डल।
6. सभी मुख्य प्रशासक/सभी प्रबन्ध निदेशक, बोर्ड व कॉर्पोरेशन/सभी सार्वजनिक क्षेत्र के उपक्रम।
7. सभी उपायुक्त तथा सभी उप मण्डल अधिकारी नागरिक।
8. सभी रजिस्ट्रार, विश्वविद्यालय।

दिनांक 7.7.2014

विषय:— रिश्वतखोर सरकारी अधिकारियों/कर्मचारियों पर घात लगाने की नीति।

महोदय,

मुझे निर्देश हुआ है कि मैं आपका ध्यान उपरोक्त विषय पर इस विभाग द्वारा जारी हिदायत क्रमांक 1244-1चौ0 (II)-72/9512, दिनांक 13.4.1972 तथा पत्र क्रमांक 4/17/89-1चौ01, दिनांक 24.1.1990 की ओर दिलाऊँ और यह बताऊँ कि राज्य सरकार द्वारा रिश्वतखोर राजपत्रित श्रेणी-1 (ग्रुप-ए) के अधिकारियों पर राज्य चौकसी ब्यूरो हरियाणा द्वारा छापे मारने के मामले पर फिर से विचार किया गया है और विचारोपरान्त यह निर्णय लिया गया है कि श्रेणी-I (ग्रुप-ए) के अधिकारियों पर आई.ए.एस., आई.पी.एस., एच.सी.एस. (कार्यकारी) व एच.पो.एस. अधिकारियों को छोड़ कर) राज्य चौकसी ब्यूरो हरियाणा द्वारा छापे मारने को अनुमति प्रदान करने के लिए सम्बन्धित विभाग के प्रशासकीय सचिव सक्षम होंगे।

जहाँ तक आई.ए.एस. व एच.सी.एस. कार्यकारी शखा अधिकारियों पर छापे मारने की अनुमति दिये जाने का सम्बन्ध है, ऐसी अनुमति दिये जाने से पूर्व प्रशासकीय सचिव, चौकसी मुख्य सचिव का पूर्व अनुमोदन प्राप्त करेंगे। आई.पी.एस./एच.पी.एस. अधिकारियों पर छापे मारने के लिए राज्य चौकसी ब्यूरो हरियाणा द्वारा प्रशासकीय सचिव गृह से अनुरोध किया जायेगा व प्रशासकीय सचिव ऐसी अनुमति दिये जाने से पहले मुख्य सचिव का पूर्व अनुमोदन (prior approval) प्राप्त करेंगे।

2. अन्य श्रेणी के अधिकारियों/कर्मचारियों पर छापे मारने की अनुमति दिये जाने हेतु सन्दर्भाधीन परिपत्रों द्वारा जारी हिदायतों में कोई परिवर्तन नहीं किया गया है।

3. आपसे अनुरोध है कि इन हिदायतों का दृढ़ता से पालन किया जाये।

भवदीय,
हस्ता/—
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

पृष्ठांकन क्रमांक 4/17/89-1चौ.1

दिनांक 7.7.2014

एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है :-

1. महानिदेशक, राज्य चौकसी ब्यूरो हरियाणा, पंचकुला को उनके पत्र क्रमांक 6525/रा0चौ0ब्यू0 (ह0) दिनांक 20.5.2014 के सन्दर्भ में प्रेषित है। उनसे यह अनुरोध है कि हिदायतों को विजीलैन्स मैनुअल में भी छपवायें।

2. राज्य सूचना विज्ञान अधिकारी, एन.आई.सी., हरियाणा सिविल सचिवालय, नौवीं मंजिल, सैक्टर-1 चंडीगढ़ को भेजते हुए अनुरोध है कि उक्त हिदायतें हरियाणा सरकार की वेबसाइट पर अपलोड करें।

हस्ता/—
अवर सचिव, चाकसो,
कृते मुख्य सचिव, हरियाणा सरकार,
चौकसी विभाग।

No. 4/4/90-1 Vig. (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 30th 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:-

1. Additional Deputy Commissioner/Sub-Divisional Officer (Civil) (Chairman).
2. A Deputy Superintendent of Police to be nominated by Superintendent of Police (Member).
3. Officer of the department concerned (Member).
4. 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:-

- (i) 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.
- (ii) To check tax evasion and bribery cases on sales tax and octroi barriers etc.
- (iii) To prevent black marketing and profiteering of essential commodities involving a check on ration depots, gas dealers etc.
- (iv) To look into complaints of use of substandard material and fabrication of muster-rolls in Engineering Department, Forest

Department and Panchayati Raj Engineering Organisation.

- (vi) To check adulteration specially of cold drinks, Pharmaceutical, fertilizers, petrol etc.
- (vii) 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 7th 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 30th 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 30th July, 1990.

No. 4/4/90-1 Vig (1)

From

The Chief Secretary to Government, Haryana,
Vigilance Department.

To

1. All Heads of Department in Haryana.
2. The Commissioner of Ambala, Hisar, Rohtak and Gurgaon Divisions,
3. All Deputy Commissioners in Haryana.
4. 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 30th 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:-

- (i) 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 or any other technical officer from the Government Department or he may take the help of the XEN Vigilance in some special cases.
- (ii) A minimum of 5 checks/inspections/raids be made in a month.
- (iii) Deputy Commissioner should conduct at least one such inspection in a month.
- (iv) 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.
- (v) 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 28th 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. 4/4/90-1 Vig (1)

Dated Chanigarh, the 28th Nov., 1991.

प्रेषक

आयुक्त एवं सचिव, हरियाणा सरकार,
चाकसो विभाग।

सेवा में

- 1 मुख्य इंजीनियर, सिंचाई विभाग, हरियाणा।
- 2 मुख्य इंजीनियर, लोक निर्माण विभाग, भवन तथा सड़कें शाखा, हरियाणा।
- 3 मुख्य इंजीनियर, लोक निर्माण विभाग, जन स्वास्थ्य शाखा, हरियाणा।

यादि कमांक 1774-1 (1) 77/24268 दिनांक चण्डीगढ़ 2-9-77

विषय:- लोक निर्माण विभाग के निर्माण कार्यों की विशेष जांच अभिकरण द्वारा चैकिंग।

उपरोक्त विषय पर इस विभाग के पत्र यादि कमांक 4651-1 चौ0 1-74/24703 दिनांक 15-11-74 के सन्दर्भ में।

2 उपरोक्त विषय के सम्बन्ध में पुनः विचार किया गया है और यह निर्णय लिया गया है कि भविष्य में अधोक्षक इंजीनियर के स्थान पर प्रत्येक मुख्य इंजीनियर स्वयं अपने विभाग द्वारा करवाये गये पिछले तीन महीनों के निर्माण कार्यों की सूची **Closed** कवर में सचिव चौकसी विभाग को नाम से भेजे। ये सूची त्रिमाही समाप्त होने के अगले महीने के अन्त तक हर हालत में सचिव चौकसी विभाग को भेज दी जाये। उदाहरण 31 मार्च तक के त्रिमासिक की सूची सचिव चौकसी को 30 अप्रैल तक प्राप्त हो जानी चाहिए। इस विभाग द्वारा जो हिदायतें यादि कमांक 4651-1 चौ0 (1) 74/24703, दिनांक 15-11-1974 द्वारा जारी दी गई है उनका इस हद तक संशोधित समझा जाये।

हस्ता/-

अवर सचिव, चाकसो,
कृते सचिव, हरियाणा सरकार,
चाकसी विभाग।

एक प्रति:-

- 1 वित्तायुक्त एवं सचिव, हरियाणा सरकार, सिंचाई विभाग।
- 2 सचिव, हरियाणा सरकार, लोक निर्माण विभाग भवन तथा सड़कें शाखा।
- 3 सचिव, हरियाणा सरकार, लोक निर्माण विभाग, जन स्वास्थ्य शाखा का इस विभाग को अशा: पत्र कमांक 4651-1 (1) 74, दिनांक 15-11-74 के संदर्भ में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित की जाती है।

हस्ता/-

अवर सचिव, चाकसो,
कृते सचिव, हरियाणा सरकार,
चाकसी विभाग।

सेवा में

1. वित्तायुक्त एवं सचिव, हरियाणा सरकार, सिंचाई विभाग।
2. सचिव, हरियाणा सरकार, लोक निर्माण विभाग (भवन तथा सड़के शाखा)।
3. सचिव, हरियाणा सरकार लाक निर्माण विभाग, जन स्वास्थ्य।

अषा: कमांक 1774-1 चौ0 (1)77/24269

दिनांक चण्डीगढ़ 2-9-77

पृष्ठ कमांक 1774-1 चौ0 (1)77/24269

दिनांक चण्डीगढ़ 2-9-77

एक प्रति निदेशक, विशेष जांच अभिकरण, हरियाण को सरकार के पत्र कमांक 4651-1 चौ0 (1)-74/24701, दिनांक 15-11-74 के संदर्भ में सूचनार्थ प्रेषित की जाती है।

हस्ता/-

अवर सचिव, चाकसो,
कृते सचिव, हरियाणा सरकार,
चाकसी विभाग।

सेवा में

- 1 वित्तायुक्त एवं सचिव, हरियाणा सरकार, सिंचाई विभाग।
- 2 सचिव, हरियाणा सरकार, लोक निर्माण विभाग (भवन तथा सड़के शाखा)।
- 3 सचिव, हरियाणा सरकार लाक निर्माण विभाग, जन स्वास्थ्य।

अषा: कमांक 1774-1 चौ0 (1)77/24269

दिनांक चण्डीगढ़ 2-9-77

पृष्ठ कमांक 1774-1 चौ0 (1)77/24269

दिनांक चण्डीगढ़ 2-9-77

एक प्रति निदेशक, विशेष जांच अभिकरण, हरियाण को सरकार के पत्र कमांक 4651-1 चौ0 (1)-74/24701, दिनांक 15-11-74 के संदर्भ में सूचनार्थ प्रेषित की जाती है।

हस्ता/-

अवर सचिव, चाकसो,
कृते सचिव, हरियाणा सरकार,
चाकसी विभाग।

**HARYANA GOVERNMENT
VIGILANCE DEPARTMENT
Notification**

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

Dated Chandigarh the 22nd 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 or a Retd. District & Sessions Judge (Notification regarding appointing a suitable person well be issued 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.

M.C. GUPTA

Dated Chandigarh,

Finance Commissioners & Secretary to

The 22nd September, 1987.

Govt. Haryana, Vigilance Department.

Endst. No. 4/2/87-I Vig (I)

Dated Chandigarh the 22nd 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.

No. 4/2/87-1 Vig (I) Dated Chandigarh the 22nd 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 22nd 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 22nd September, 1987.

HARYANA GOVERNMENT
VIGILANCE DEPARTMENT
Notification

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

Dated Chandigarh the 3rd 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 22nd 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:-

- (i) Checking of inventories of PWD Department;
- (ii) Checking of inventories of Consumers Stores etc.
- (iii) Checking of big projects under construction;
- (iv) Review of the Flying Squads of the Departments;
- (v) 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.

M.C. GUPTA

Dated Chandigarh,
The 29th Oct., 1987.

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 3rd 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 3rd 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 3rd 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 3rd 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.

G.V.GUPTA

Dated Chandigarh
the 2nd March 1988
No. 4/2/87-1Vig.(1)

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.
Dated, Chandigarh the 3rd March 1988.

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

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.
Dated, Chandigarh the 3rd March 1988.

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

A copy is forwarded to the Chairman and all the Members of the Implementation Sub-C0mmittee of the State Anti Corruption Board, Haryana for information.

Sd/-

Under Secretary Vigilance, for
Financial Commissioner and Secretary to
Govt. Haryana, Vigilance Deptt.
Dated, Chandigarh the 3rd March 1988.

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

Dated,

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 8th 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 mote 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, Suger 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.

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

dated Chandigarh the 8th 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.

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

dated Chandigarh the 8th Feb.1990

A copy is forwarded to all the Heads of Departments for information.

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

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

the dated Chandigarh 8th Feb.1990

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 then 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 reach 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)
Endst. No. 46/41/91-3 Vig. (II)

Dated 22.7.1991
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:

1	Shri M.S. Malik, IPS, DGP- cum-Director, State Vigilance Bureau, Haryana.	Chairman
2	Shri R.R. Sheoran, Engineer-in-Chief, PWD (B&R), Haryana.	Member
3	Shri Yudhvir Singh, Additional Excise & Taxation Commissioner, Haryana.	Member
4	Shri B.D. Arora, Chief Accounts Officer, Accounts Training Institute (Nominated by the Finance Department).	Member
5	Shri S.P. Tyagi, Senior Accounts Officer, Transport Department (Nominated by the Finance Department).	Member
6	District Attorney, State Vigilance Bureau.	Member
7	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 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 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.
