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MASTER CIRCULAR

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

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Master Circular No. : 01/MC/2026

MASTER CIRCULAR
ON
DEFINITION OF VIGILANCE ANGLE

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-1

दिनांक / Dated 27.07.2026

Master Circular No. : 01/MC/2026

Subject: Master Circular on Definition of Vigilance Angle.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, on the definition of vigilance angle in respect of irregularities noticed in a complaint / case etc.

2. The Commission, in order to ensure ease of reference in matters relating to "Definition of Vigilance Angle", has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on this subject. The same have been compiled in the form of Master Circular No 01/MC/2026 titled '**Definition of Vigilance Angle'** which is enclosed with this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. including Master Circular No. 01/MC/2026 issued on 23.05.2025, issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Definition of Vigilance Angle

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Definition of Vigilance Angle'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter referred to as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding the 'Definition of Vigilance Angle' and is aimed at bringing clarity about the same.

3.0 DEFINITION OF VIGILANCE ANGLE

3.1 There are certain misconduct on the part of an official, where existence of vigilance angle is obvious. Such misconduct include: -

(i) Demanding and / or accepting gratification other than legal remuneration in respect of an official act or for using his influence with any other official.

(ii) Obtaining valuable thing(s), without consideration or with inadequate consideration from a person with whom he has or likely to have official dealings or his subordinates have official dealings or where he can exert influence.

(iii) Obtaining for himself or for any other person, any valuable thing(s) or pecuniary advantage by corrupt or illegal means or by abusing his position as a public servant.

(iv) Possession of assets disproportionate to known sources of income.

(v) Cases of misappropriation, forgery or cheating or other similar criminal offences committed in discharge of official duties.

3.2 There are other irregularities where circumstances will have to be weighed carefully to take a view as to whether the official's integrity is in doubt. Irregularities

like gross or willful negligence; recklessness in decision making; blatant violation of systems and procedures; exercise of discretion in excess where no ostensible public interest is evident; failure to keep the controlling authority/superiors informed of required transactions and issues in time; and / or any undue / unjustified delay in disposal of a case, would require the Competent Authority (CA), with the help of the Chief Vigilance Officer(CVO) to carefully study the case, consider all relevant factors and weigh the circumstances to come to a conclusion, as to whether there is reasonable ground to doubt the integrity of the official concerned.

3.3 It is to be kept in view that the purpose of vigilance activities is not to reduce, but to enhance the level of managerial efficiency and effectiveness in the organisation. Commercial risk taking is a part of business activities. Therefore, every loss caused to the organisation, either in pecuniary or non- pecuniary terms, may not be considered as having vigilance angle. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations, instructions and procedures, would have taken the decision in the prevailing circumstances in the commercial / operational interest of the organisation, is one possible criterion for determining whether the decision is bonafide. A positive response to this question may indicate that the decision is bonafide. A negative response, on the other hand, might indicate that decision taken is not bonafide and presence of vigilance angle.

4.0 VIGILANCE ANGLE IN PUBLIC SECTOR BANKS

4.1 In addition to the irregularities as stated in Paras 3.1 to 3.3 above, there are certain irregularities specific to Public Sector Banks (PSBs), which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Irregularities in opening of accounts leading to creation of fictitious accounts;

(ii) Irregularities in operation of accounts leading to fraudulent transactions;

(iii) Frequent instances of accommodation granted to a party / parties against norms;

(iv) Case(s) in which there is a reasonable ground to believe that criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(v) Misappropriation of the bank's assets;

(vi) Falsification of the bank's records;

(vii) Disclosure of secret or confidential information;

(viii) Making false claims on the bank;

(ix) Failure to take necessary action to protect the interest of the bank;

(x) Sacrificing / ignoring the interest of the bank and causing loss to the bank;

(xi) Violation of security / safety norms and guidelines issued by the bank;

(xii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xiii) Acting in a manner that violates or undermines the policies of the bank or acting against the decisions taken by the management;

(xiv) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines;

(xv) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the bank's interest.

4.2 The list of irregularities as indicated in Paras 3.1 to 4.1 above, is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSB, which may attract vigilance angle. Therefore, the authorities concerned, including the respective Disciplinary Authority (DA) and the CVO, should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1 to 4.1 above, before arriving at a conclusion regarding the presence or absence of vigilance angle, in that case.

5.0 VIGILANCE ANGLE IN PUBLIC SECTOR INSURANCE COMPANIES

5.1 Vide Paras 3.1 to 3.3 of this circular, common irregularities indicating existence of vigilance angle in a case have been stated. In addition, there are certain irregularities specific to Public Sector Insurance Companies (PSICs) which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Pre-dating of cover notes;

(ii) Settlement of bogus claim in collusion with the Insured / Surveyor / Workshop / any distribution channel;

(iii) Payment of an inflated amount as claim;

(iv) Irregularities in disposal of salvage;

(v) Collusion with doctors, hospitals, Third Party Administrators (TPAs) and other outsourced agencies (Agents, Brokers, Surveyors, Advocates) and others on medical examination of prospects;

(vi) Deliberate bad underwriting practices;

(vii) Acting against the interest of the company in placement of funds;

(viii) Conversion of direct business to agency business without proper mandate and causing undue loss to the company, along with corresponding gain to private party;

(ix) Case(s) in which there is a reasonable ground to believe that a criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(x) Misappropriation of the company's assets;

(xi) Falsification of the company's records;

(xii) Disclosure of secret or confidential information;

(xiii) Making false claims on the company;

(xiv) Failure to take necessary action to protect the interest of the company;

(xv) Sacrificing / ignoring the interest of the company and causing loss to the company;

(xvi) Violation of security / safety norms and guidelines issued by the company;

(xvii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xviii) Acting in a manner that violates or undermines the policies of the company or acting against the decisions taken by the management;

(xix) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines;

(xx) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the company's interest.

5.2 The list of irregularities as indicated in Paras 3.1 to 3.3 and 5.1 above, is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSIC which may attract vigilance angle. Therefore, the authorities concerned, including the respective DA and the CVO, should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1 to 3.3 and 5.1 above, before arriving at a conclusion regarding the presence or absence of vigilance angle, in that case.

6.0 VIGILANCE ANGLE IN PUBLIC SECTOR FINANCIAL INSTITUTIONS

6.1 Vide Paras 3.1 to 3.3 of this circular, common irregularities indicating existence of vigilance angle in a case have been stated. In addition, there are certain irregularities specific to Public Sector Financial Institutions (PSFIs) which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Irregularities in appraisal of projects / entities, ignoring the institution's policies, procedures and regulatory guidelines;

(ii) Irregularities in monitoring of project execution and / or loan utilisation;

(iii) Irregularities in resource mobilization and investment decisions, ignoring the institution's policies and procedures;

(iv) Irregularities in resolution of stressed assets, ignoring the institution's policies and procedures;

(v) Case(s) in which there is a reasonable ground to believe that a criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(vi) Misappropriation of the institution's assets;

(vii) Falsification of the institution's records;

(viii) Disclosure of secret or confidential information;

(ix) Making false claims on the institution;

(x) Failure to take necessary action to protect the interest of the institution;

(xi) Sacrificing / ignoring the interest of the institution and causing loss to the institution;

(xii) Violation of security / safety norms and guidelines issued by the institution;

(xiii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xiv) Acting in a manner that violates or undermines the policies of the institution or acting against the decisions taken by the management;

(xv) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines;

(xvi) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the institution's interest;

6.2 The list of irregularities as indicated in Paras 3.1 to 3.3 and 6.1 above, is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSFI which may attract vigilance angle. Therefore, the authorities concerned, including the respective DA and the CVO, should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1 to 3.3 and 6.1 above, before arriving at a conclusion regarding presence or absence of vigilance angle, in that case.

7.0 VIGILANCE ANGLE IN RESPECT OF QUASI-JUDICIAL FUNCTIONS BEING PERFORMED BY OFFICIAL(S)

7.1 There has been a lack of uniformity in examination of misconduct / irregularities committed by official(s) performing quasi-judicial functions. In certain cases, the routine defence is that the official had exercised his quasi-judicial powers and no disciplinary proceedings are warranted. In certain other cases, for similar lapses, disciplinary proceedings were proposed, alleging that the official had shown recklessness or acted negligently and lacked devotion to duty. The Hon'ble Supreme Court of India, in its judgement dated 27.01.1993[1] had laid down the criteria for examination of case(s) against official(s) exercising quasi-judicial function(s).

7.2 Hon'ble Supreme Court of India, in its judgement dated 27.01.1993[1] held that disciplinary action against official(s) exercising quasi-judicial powers can be taken in following cases: -

(i) Where the officer had acted in a manner as would reflect on his reputation for integrity or good faith or devotion to duty;

(ii) If there is prima facie material to show recklessness or misconduct in the discharge of his duty;

(iii) If he has acted in a manner which is unbecoming of a Government Servant;

(iv) If he had acted negligently or that he omitted the prescribed conditions which are essential for the exercise of the statutory powers;

(v) If he had acted in order to unduly favour a party;

(vi) If he had been actuated by corrupt motive, however, small the bribe may be.

7.3 Further, the Hon'ble Supreme Court of India in its judgment dated 12.07.2016[2] has prescribed the principle(s) / procedure to be followed while examining case(s) against an official exercising judicial function.

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[1] In the case of K. K. Dhawan Vs. Union of India case (1993 AIR 1478)

[2] Judgment dated 12.07.2016, in Civil Appeal No. 6116-6117 of 2016 [AIR 2016 SC 3356], titled R.R. Parekh Vs. Gujarat High Court.

7.4 The principles laid down by Hon'ble Supreme Court of India in its judgement dated 12.07.2016 for determining as to whether an act of a judicial officer has been actuated by an oblique manner or corrupt practice, are as below:

(i) Since, direct evidence of corruption may not always be forthcoming in every case involving a misconduct, a wanton breach of the governing principles of law or procedure may well be indicative in a given case of a motivated, if not reckless disregard of legal principle.

(ii) In the absence of cogent explanation, it is for the DA to determine whether a pattern has emerged on the basis of which an inference that an officer was actuated by extraneous considerations can be drawn.

(iii) The DA has to determine whether there has emerged from the record or more circumstances that indicate that the decision which forms the basis of the charge of misconduct was not an honest exercise of judicial power.

(iv) A charge of misconduct against a judicial officer must be distinguished from a purely erroneous decision whether on law or on fact.

7.5 The Commission desires that the CVO and the authority concerned in the respective organisation, while considering the lapse(s) of official(s) exercising quasi-judicial powers, may keep in mind the criteria laid down by the Hon'ble Supreme Court of India in its decisions dated 27.01.1993[1] and 12.07.2016[2] as brought out in Paras 7.1 to 7.4 above and arrive at a decision accordingly. In respect of official(s) covered under the jurisdiction of the Commission, the authorities may also approach the Commission for obtaining its First Stage Advice in accordance with the procedure as stated in the 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the Advice of the Central Vigilance Commission'.

8.0 ACTION ON ADMINISTRATIVE MISCONDUCT(S)

Absence of vigilance angle in various acts of omission and commission does not mean that the official concerned is not liable to face the consequences of his actions. All such lapses not attracting vigilance angle would, indeed, have to be dealt with appropriately as per prescribed procedure, under the relevant Conduct, Discipline and Appeal (CDA) Rules as may be applicable to the official concerned.

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[1] Judgement dated 27.01.1993 in Civil Appeal [1993 AIR 1478], titled K. K. Dhawan Vs. Union of India.

[2] Judgment dated 12.07.2016, in Civil Appeal No. 6116-6117 of 2016 [AIR 2016 SC 3356], titled R.R. Parekh Vs. Gujarat High Court.

ACRONYM / ABBREVIATION

Acronym	Full Form
CA	Competent Authority
CDA Rules	Conduct, Discipline and Appeal Rules
CVO	Chief Vigilance Officer
DA	Disciplinary Authority
PSBs	Public Sectors Banks
PSFIs	Public Sector Financial Institutions
PSICs	Public Sector Insurance Companies
TPA	Third Party Administrators

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Master Circular No. : 02/MC/2026

MASTER CIRCULAR ON ROLE AND FUNCTION OF CHIEF VIGILANCE OFFICER AND PROTECTION TO CHIEF VIGILANCE OFFICER AND OTHER VIGILANCE FUNCTIONARIES

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

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केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-2

दिनांक / Dated 27.07.2026

Master Circular No. : 02/MC/2026

Subject: Master Circular on Role and Function of Chief Vigilance Officers and Protection of Chief Vigilance Officers and Other Vigilance Functionaries.

The Central Vigilance Commission, as part of its mandate of effective superintendence over vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the role and function of CVOs and protection to CVOs & other vigilance functionaries.

2. The Commission, in order to ensure ease of reference about the role and function of CVOs and protection to CVOs & other vigilance functionaries, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on this subject. The same have been compiled in the form of Master Circular No 02/MC/2026 titled '**Role and Function of Chief Vigilance Officers and Protection of Chief Vigilance Officers and Other Vigilance Functionaries'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Role and Function of Chief Vigilance Officer and Protection to Chief Vigilance Officer and other Vigilance Functionaries

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Role and Function of Chief Vigilance Officer and Protection to Chief Vigilance Officer and other Vigilance Functionaries'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter referred to as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding 'Role and Function of Chief Vigilance Officers and Protection to Chief Vigilance Officers and other Vigilance Functionaries' and is aimed at bringing clarity about the same.

3.0 ROLE AND FUNCTIONS OF CHIEF VIGILANCE OFFICERS

3.1 The Chief Vigilance Officer(CVO)is appointed in ministries / departments / organisations of Central Government to carry out, in an efficient manner, work relating to vigilance administration. CVO in an organisation is to be appointed in consultation with the Commission.

3.1.1 The primary responsibility of maintaining efficiency, integrity and transparency in an organisation vests with the Chief Executive of that organisation. The CVO is the senior most functionary in the Vigilance Unit of an organisation and functions as the advisor to the Chief Executive in the field of vigilance administration. The CVO reports directly to the Chief Executive and is also the nodal officer in an organisation for interaction with the Commission.

3.1.2 The CVO is required to perform diverse functions in order to ensure effective vigilance administration. The main functions being performed by the CVO may be categorized as:-

(i) Punitive vigilance functions;
(ii) Preventive vigilance functions; and
(iii) Participative vigilance functions.

3.2 ROLE OF THE CHIEF VIGILANCE OFFICER IN PUNITIVE VIGILANCE FUNCTIONS

3.2.1 Information about corruption, misconduct or irregularities in an organisation may flow to the CVO from different sources, for example, complaints, audit reports, reports of various committees, inspections carried out by vigilance unit, etc. The CVO is required to scrutinize the information and take further necessary action, in accordance with guidelines as contained in 'Master Circular No. 03/MC/2026 on Handling of Complaints by Chief Vigilance Officers and Organisations'.

3.2.2 The CVO is required to investigate the complaint(s) / information forwarded for investigation by the Commission or Central Bureau of Investigation (CBI) or any other authority competent to do so, within the time limit of three months or as may be prescribed by the authority concerned.

3.2.3 On completion of investigation, the CVO is required to scrutinize the investigation report, formulate views and approach the Competent Authority (CA) with specific recommendations to decide future course of action. The CVO is also required to approach the Commission for obtaining its advice, in accordance with the guidelines contained in the 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'.

3.2.4 It may be noted that any complaint against a Board level appointee, whether figuring alone or along with other officials, if received in the organisation (where the Board level appointee is working or has worked), is to be forwarded by the CVO of that organisation to the CVO of the administrative ministry for taking further action. Action on the complaint including detailed investigation, if considered necessary, is to be taken by the CVO of the administrative ministry. However, the CVO / CA in the administrative ministry may ask the CVO of the organisation for a Factual Report (FR). While submitting FR to the authority in the administrative ministry, the CVO of the organisation is not required to make analysis or draw conclusions. FR is to be prepared on the basis of records / documents only and no clarification / explanation of any official is required to be obtained at this stage. A format for the submission of FR is enclosed as Annexure-I to this circular.

3.2.5 On receipt of the advice of the Commission, the CVO is required to take timely action, which includes conveying the advice to the CA for further necessary action and to follow up the progress of the case(s) to ensure that the case(s) are brought to logical conclusion within the time limit as advised in the 'Master Circular No. 08/MC/2026 on Timely Initiation and Finalisation of Disciplinary Action'. Any case of deviation from the advice of the Commission, is to be reported to the Commission at the earliest.

3.2.6 It may be noted that the Commission tenders advice in respect of officials covered under its jurisdiction, as mandated in CVC Act,2003 and extant guidelines. However, the CVO is required to be consulted by the Disciplinary Authority (DA)/Appellate Authority (AA) / Revising Authority (RA) in vigilance case(s), irrespective of the level of the official(s) involved. The CVO is required to tender advice to the DA / AA / RA in accordance with the guidelines, as contained in this circular.

3.2.7 The CVO is also required to monitor the progress of the case(s) where advice of the Commission was not required but advice of the CVO was obtained / tendered. The CVO is expected to exercise proper check and supervision over such case(s) to ensure finalisation of the case(s), within the time limit advised by the Commission and also to ensure that the penalty awarded to the delinquent official is commensurate with the gravity of the misconduct established in that case. The CVO should also recommend revision of penalty orders, in case he is not satisfied with the penalty awarded.

3.2.8 The CVO should bring to the notice of the Board of Directors / Chief Executive (where the Board of Directors is not in existence), vigilance case(s) in which the CA has deviated from the advice of the CVO in respect of official(s) outside the jurisdiction of the Commission.

3.2.9 The CVO is required to submit to the Commission, Action Taken Report (ATR), with specific recommendations, in respect of Non-Vigilance Paras of Intensive Examination Report (I/E Report) forwarded by Chief Technical Examiner's (CTE's) Organisation of the Commission. The ATR is to be submitted by the CVO within one month of the receipt of I/E Report.

3.2.10 The CVO is also required to submit investigation report on those paras / observations of CTE's I/E Report, which have been categorized and communicated as vigilance paras, by the Commission. In addition, the CVO may also take up any observation / para of I/E Report for vigilance investigation, after obtaining approval of the Commission. The investigation report in respect of paras / observations pertaining to CTE's I/E Report is to be submitted to the Commission within three months of the receipt of communication in this regard, from the Commission, or within such time as may be specified by the Commission.

3.2.11 The CVO is required to ensure adherence to the rules, regulations and prescribed procedures (including the time limits), at all stages of processing of vigilance matter(s), so that the processing / outcome of the case(s) is not vitiated on

technical grounds, for example, misplacement of files or due to delay in issuance of final orders etc., especially in case of official(s) due for promotion or retirement.

3.2.12 The CVO should refer complaint(s) / matter(s) to CBI or other Law Enforcement Agency (LEA), with prior approval of the Chief Executive.

3.2.13 The CVO is required to provide assistance to CBI or other LEA in investigation of complaint(s) / case(s) referred to them by the organisation / authority concerned or initiated by them based on complaints / information received from other sources.

3.2.14 The CVO should scrutinize investigation report forwarded by CBI or other LEA and should provide inputs / recommendations to the CA to enable it to decide further course of action, as per extant guidelines.

3.2.15 The CVO is required to monitor the progress of departmental inquiry in vigilance cases. The Inquiry Officer (IO) is required to submit a copy of monthly report, indicating the progress of departmental inquiry / inquiries being conducted by him, to the DA(s) concerned, with a copy to the CVO. The CVO is required to take up with the IO and the DA, any matter where proceedings are getting unduly delayed.

3.2.16 The CVO is required to send a compliance report, at the end of each calendar year, about implementation of the penalty orders issued in respect of each charged officer, against whom advice for imposition of penalty was tendered by the Commission. Such a report is to be forwarded to the Commission by the CVO, latest by 30th June, every year.

3.3 ROLE OF THE CHIEF VIGILANCE OFFICERS IN PREVENTIVE AND PARTICIPATIVE VIGILANCE FUNCTIONS

3.3.1 Preventive and Participative Vigilance functions are aimed at elimination or significant reduction in acts of corruption. The Santhanam Committee Report on 'Prevention of Corruption' observed that unless planned preventive measures are implemented in a sustained and effective manner, corruption cannot be eliminated or even reduced significantly. As advisor to the Chief Executive of the organisation, the CVO is required to play an important role in establishing an effective preventive vigilance mechanism. In this regard, the CVO is required to broadly undertake the following measures: -

(i) To scrutinize the existing procedures / practices in the organisation, in order to identify areas where loopholes providing scope for corruption / malpractices, exist.

(ii) To suggest and devise measures to minimize delay and to ensure use of discretionary powers, wherever necessary, in a transparent and fair manner.

(iii) To assist the Chief Executive in identification of corruption prone areas and sensitive posts in the organisation. The CVO is also required to ensure transfer / posting of officials holding identified sensitive posts, as per guidelines contained in the 'Master Circular No. 09/MC/2026 on Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts'.

(iv) To assist the Chief Executive in establishing well-defined internal processes and corresponding controls with clear responsibilities, for smooth and effective functioning of the organisation.

(v) To review the existing regulatory functions and examine whether such functions are necessary and whether there is any scope for improvement of the method of discharge of such functions.

(vi) To emphasize on maximizing the use of technology in all possible areas / functions in the organisation and to ensure effective implementation of guidelines issued by the authorities concerned, in this regard.

(vii) To ensure preparation and periodical updation of Manual(s) and Standard Operating Procedures in all important areas and to bring them in sync with the instructions / guidelines / manuals issued by the authorities concerned.

(viii) To conduct scrutiny of Immoveable Property Returns / Assets and Liability statement, whichever is applicable, of a minimum of 20% of officials every year and take further necessary action, as may be required.

(ix) To conduct a minimum of 06 numbers of CTE Type Intensive Examinations of Works Contracts / Goods Procurement in the respective organisation, every year. The cases should be judiciously selected from Works Contracts / Goods Procurement of different nature (Works / Services / Supply / Consultancy, etc.) and in such a manner that at least 03 cases of large value, 02 cases of medium value and 01 case of small value are selected for the CTE Type Intensive Examination.

(x) The cases may be selected from amongst those contracts which have been reported in the Quarterly Progress Report being submitted to the Commission and also from those cases, which have not been reported in the Quarterly Progress Report. Works Contracts / Goods Procurement (works / services / supply / consultancy etc.) should be categorized as large, medium and small value contracts, keeping in view the scale and nature of procurement activities in the organisation concerned. The CVO should also inform the CTE's Organisation of the Commission about the details of Works Contracts / Goods Procurement selected for CTE Type Intensive Examination, to avoid duplication of examination.

(xi) To conduct inspections on a regular basis and also surprise inspections to detect any act of corruption or malpractice in the organisation.

(xii) To gather intelligence from his own sources in whatever manner he deems appropriate about the acts of corruption / malpractices having been committed or likely to be committed. He should also collect source material on malpractices and examine them for logical conclusion. Such information is to be scrutinized and acted upon as per extant guidelines.

(xiii) To take timely steps for preparation of Agreed List of Suspected Officers and List of Public Servants of Gazetted Status of Doubtful Integrity. In respect of preparation of Agreed List, the detailed criteria for preparation of Agreed Lists of Suspected Officers is provided in the Ministry of Home Affairs' (MHA's) Office Memorandum (OM) dated 05.05.1966[1].

The CVO, after due consultation with the Chief Executive of the organisation, should take required steps for finalization of Agreed List in discussion with the CA in CBI. In respect of officials whose names are appearing in the Agreed List, the following actions are required to be taken:-

(a) Closer and more frequent scrutiny and inspection of their work and performance by the departments concerned, particularly in spheres where there is scope for discretion or for showing favours.

(b) Quiet check about their reputation, both by the department and CBI.

(c) Unobtrusive watch of their contacts, style of living etc. by CBI.

(d) Secret enquiry by CBI about their assets and financial resources. The departments will make available their property returns and other relevant records to CBI.

(e) Collection of information by CBI of specific instances of bribery and corruption practices.

(xiv) The CVO is also required to take the steps as expected from CBI, to keep a watch over the activities of the officials appearing on the Agreed List.

(xv) It may be noted that the Agreed List is to remain in force for one year from the date of preparation and the work / activities / behaviour of officials included in the Agreed List would be watched during that period. The list would be reviewed after the expiry of the period of one year.

(xvi) The criteria for preparation of List of Public Servants of Gazetted Status of Doubtful Integrity is provided in MHA's OM dated 28.10.1969[2].The CVO is required to take timely steps for finalisation of List of Public Servants of Gazetted Status of Doubtful Integrity, in consultation with CBI and the Chief Executive of the organisation.

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[1]MHA's OM No. 130/1/66-AVD dated 05.05.1966 on the subject ,"Agreed list of s spected officers." refers, which may have been amended from time to time.

[2]MHA's OM No. 105/1/66-AVD-I dated 28.10.1969 on the subject "Scheme for preparation, maintenance and custody of lists of public servants of gazetted status of doubtful integrity." refers, which may have been amended from time to time.

(xvii) The list as mentioned in para 3.3.1 (xi) of this circular, will include names of those officials only, who after enquiry or during the course of enquiry, have been found to be lacking in integrity. It will thus include the names of the officials, with certain exceptions, falling under one of the following categories:-

(a) Convicted in a court of law on a charge of lack of integrity or for an offence involving moral turpitude but on whom, in view of exceptional circumstances, a penalty other than dismissal, removal or compulsory retirement is imposed.

(b) Awarded departmentally a major penalty (i) on charge(s) of lack of integrity; (ii) on charge(s) of gross dereliction of duty in protecting the interests of Government although the corrupt motive may not be capable of proof;

(c) Against whom proceedings for a major penalty or a court trial are in progress for alleged acts involving lack of integrity or moral turpitude;

(d) Who were prosecuted but acquitted on technical grounds, and in whose case on the basis of evidence during the trial, there remained a reasonable suspicion against their integrity.

(xviii) The names of the officials of the following categories should not be included in this list:-

(a) Officials who have been cleared or honourably acquitted as a result of disciplinary proceedings or court trial;

(b) Officials against whom an enquiry or investigation has not brought forth sufficient evidence for recommending even a disciplinary case;

(c) Officials who have been convicted of offences not involving lack of integrity or moral turpitude;

(d) Officials against whom disciplinary proceedings have been completed or are in progress in respect of administrative lapses, minor violation of Conduct Rules and the like.

(xix) The List of Public Servants of Gazetted Status of Doubtful Integrity is to keep the organisation informed about such officials of doubtful integrity to ensure that they are not posted to 'sensitive' assignments and that this fact is given due consideration when deciding administrative matters affecting the service of these officials.

(xx) When the name of an official has been entered in the List of Public Servants of Gazetted Status of Doubtful Integrity for good and adequate reasons, it will not be removed until a period of three years has elapsed. The period of three years for which the name will be current on the list, will count from the date of punishment in disciplinary proceedings or from the date of conviction in a court trial.

(xxi) Adequate precaution should be taken to draw up and maintain the Agreed List and the List of Public Servants of Gazetted Status of Doubtful Integrity to ensure that they are prepared objectively and reviewed as per prescribed time schedule. It is also to be ensured that the officials placed on the aforementioned lists are not posted in sensitive positions.

(xxii) The CVO is required to intimate about the preparation of Agreed List of Suspected Officers and List of Public Servants of Gazetted Status of Doubtful Integrity in the relevant column of online Quarterly Performance Report (QPR) being submitted to the Commission.

3.3.2 The CVO is required to spread awareness among public about mechanism for reporting of inappropriate conduct by public servants, that is, through Complaint Mechanism, including Public Interest Disclosure and Protection of Informers (PIDPI) Resolution,2004.

3.3.3 The CVO is required to ensure observance of Vigilance Awareness Week as per instructions issued by the Commission from time to time.

3.3.4 The CVO is mandated to scrutinize the Comptroller and Auditor General's Audit Report(s), Statutory Auditor's Report(s), Internal Auditor's Report(s), Inspection Report(s), Report(s) of Parliamentary and other important committees, etc. These reports provide an independent periodic check about the efficacy of internal controls and create awareness about areas at risk of fraud or weak controls. The CVO is required to broadly take the following measures: -

(i) To scrutinize such reports with the objective of identifying issues where vigilance angle is perceivable. Audit Reports, which are generally well documented, not only indicate administrative and financial irregularities but may also reveal actual case(s) of corruption / misconduct.

(ii) In case any misconduct is revealed on scrutiny of Audit Report(s), Inspection Report(s) and report(s) of important committees etc., immediate action is required to be initiated against the delinquent official(s), as per extant procedure.

3.4 TIMELY PROCESSING OF VIGILANCE CASES

3.4.1 The Commission is to be consulted for advice in vigilance related matters by the organisations covered under its jurisdiction. The CVO is to ensure that a reference for obtaining the advice of the Commission or any communication to the Commission is made in accordance with the guidelines and timelines, as may be advised by the Commission from time to time.

3.4.2 All communications to the Commission should be addressed to the Secretary, Central Vigilance Commission, by designation and should be sent under the signature of the CVO.

3.4.3 The CVO is to ensure that there is no delay by the CA in processing vigilance cases, especially when the delinquent official is due for promotion or nearing retirement. Any such incident of undue delay is to be reported to the Commission by the CVO, in accordance with the guidelines, contained in this Circular and 'Master Circular No. 08/MC/2026 on Timely Initiation and Finalisation of Disciplinary Action'.

4.0 OTHER IMPORTANT FUNCTIONS

4.1 The CVO should undertake regular review of complaints referred by the Commission for Investigation & Report (I&R) / Factual Report (FR) / Necessary Action (NA) and should also ensure timely action on the same.

4.2 The CVO is to remain present at the time of review of vigilance work by the Board of the organisation concerned. The responsibility of inviting CVO to board meeting(s) is that of the authority competent to approve agenda for board meeting(s) and convene such meeting(s).

4.3 The CVO should initiate prompt action, as may be required, in respect of application(s) / petition(s) filed in a court of law or tribunal etc. by any person or entity involving any matter pertaining to vigilance or the Commission.

4.4 The discretion to place an official under suspension, when a disciplinary proceeding is either pending or contemplated against him, is that of the DA. However, the CVO is expected to assist the DA in proper exercise of this discretion.

4.5 CBI, either during the course of investigation or while recommending prosecution / departmental action, may suggest to the CA that the suspect official be suspended, giving reasons for recommending suspension. On receipt of such suggestion, the CA may exercise its discretion to place the suspect official under suspension. However, if the CA does not propose to accept CBI's recommendations, the matter may be referred to the Commission for advice, treating it as a case of difference of opinion between the CBI and the administrative authority.

4.6 On receipt of a written request for any information / document, from another CVO, the CVO should share the required information / document(s) in strict confidence and as may be permissible under the relevant rules / law etc., for facilitating investigation.

4.7 The CVO should conduct periodical review of the work assigned to vigilance functionaries, to ensure appropriate distribution of work. The CVO should also ensure expeditious and effective finalisation of matters being dealt with by the vigilance functionaries.

4.8 The CVO should conduct periodical review of manpower strength in the vigilance unit of the organisation concerned. He should take up with the Chief Executive, the issues relating to strengthening / augmenting the manpower in the vigilance unit.

4.9 The CVO should take up the matter of effective implementation of extant guidelines on posting and rotational transfer of officials holding sensitive posts, with the Chief Executive.

4.10 In those disciplinary cases, where the AA has disagreed with the advice of the Commission, which was earlier accepted by the DA, the CVO concerned should scrutinise such cases and take up the matter with the RA, besides reporting such cases to the Commission. The CVO should also mention about the same in the relevant column(s) of the online QPR being submitted to the Commission.

4.11 The Commission issues guidelines covering different aspects of vigilance administration and also tenders advice in respect of cases referred to it by the authorities concerned. It is the responsibility of the CVO to ensure that the guidelines, timelines and the advice tendered by the Commission are brought to the notice of the authorities concerned. The CVO should also ensure implementation of the same in letter and spirit.

4.12 In order to have a proper appreciation of vigilance related work being done in an organisation, the Commission conducts Management Audit of Vigilance Unit (MAVU) of organisations covered under the jurisdiction of the Commission. The MAVU is conducted by a team of officials from the Commission. The CVO is responsible for providing the data / information as may be required for smooth and effective conduct of MAVU. Detailed guidelines relating to conduct of MAVU have been issued by the Commission, separately and are available on website of the Commission i.e. www.cvc.gov.in under the head 'Publication'.

4.13 The CVO, being the Head of the Vigilance Unit of an organisation, is also required to provide the vigilance status in respect of official(s) for whom the status is sought by the authorities concerned of the organisation. The instructions issued by the Department of Personnel and Training (DoPT) vide their OM dated 14.09.1992[1], OM dated 09.10.2024[2], instructions issued by Department of Public Enterprises (DPE)

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[1]DoPT's OM No 22011/4/91-Estt(A) dated 14.09.1992 on the subject "Promotion of Government servants against whom disciplinary/court proceedings are pending for whose conduct is under investigation – Procedure and guidelines to be followed" refers, which may have been amended from time to time.

[2]DoPT's OM No. 104/33/2024-AVD-1A dated 09.10.2024 on the subject "Revised Guidelines regarding grant of 'Vigilance Clearance' to AIS Officers & Central Civil Services/Central Civil Posts" refers, which may have been amended from time to time.

vide their OM dated 28.10.2025[1], and other instructions issued by the organisation(s) concerned, as the case may be, may be kept in view at the time of considering vigilance status of the official(s) for whom the status is sought.

4.14 The CVO is required to maintain information relating to private foreign visit(s) of the official(s) working in the respective organisation for each calendar year.

4.15 It may be noted that consultation with the Commission is not required in such cases where the official concerned is convicted by a court of law on a criminal charge and action has been initiated under Rule 19 (i) of Central Civil Services (Classification, Control and Appeal) [CCS (CCA)] Rules, 1965 or under similar Conduct, Discipline and Appeal (CDA) Rules, as may be applicable to the official concerned. In this regard, attention is drawn to DoPT's OM dated 08.04.2005[2].

5.0 TOUR PROGRAMMES OF CHIEF VIGILANCE OFFICERS

5.1 The CVO has to undertake regular inspections / surprise visits for detection of irregularities, if any. It may be noted that the CVO is not required to take formal prior approval / sanction of the Chief Executive to undertake such tours / inspections and an intimation to the Chief Executive would suffice. At the end of the tour / inspection, CVO should send a Tour Report to the Chief Executive for information.

5.2 Prior approval of the Commission should be obtained by the CVO before undertaking official visit(s) abroad, either on training or otherwise. While approaching the Commission for approval, the exact purpose of visit/details of training programme, its relevance to vigilance work and other relevant details, as may be required, are also to be submitted to the Commission. On completion of the official foreign visit, a report on the programme attended and its relevance to vigilance administration, is to be submitted to the Commission for its perusal.

6.0 VIGILANCE ADMINISTRATION OF SUBSIDIARIES AND JOINT VENTURE COMPANIES

6.1 DoPT, vide their OM dated 15.01.2019[3] have issued clarification on jurisdiction of the Commission over Joint Ventures (JVs) / Special Purpose Vehicles (SPVs) formed by the Central Government / Central Public Sector Enterprises (CPSE).

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[1]DPE's OM No 15(2)/2001/DPE(GM) dated 28.10.2025 on the subject "Consolidated and revised guidelines regarding Vigilance Policy for CPSEs" refers, which may have been amended from time to time.

[2]DoPT's OM No 118/1/2005-AVD-III dated 08.04.2005 on the subject "Consultation with Central Vigilance Commission in case where action taken under Rule 19(1) of CCS(CCA) rules 1965" refers, which may have been amended from time to time.

[3]DoPT's OM No. 399/9/2010-AVD-III (Pt-II) dated 15.01.2019 on the subject "Jurisdiction of CVC over Joint Venture / Special purpose vehicle formed by central govt/central public sector enterprises." refers, which may have been amended from time to time.

As per clarification issued by DoPT, the jurisdiction of the Commission would extend to such companies where, in a combination of the Central Government, one or more State Government, one or more Government Companies and one or more corporations owned or controlled by the Central Government / State Government, the cumulative share of the Central Government is not less than 51% of the paid up share capital.

6.2 As regards the mechanism for effective vigilance administration in JVs/SPVs/Subsidiaries covered under the jurisdiction of the Commission, the administrative ministry / department is required to issue appropriate instructions / guidelines. It may be noted that the Ministry of Petroleum and Natural Gas (M/o PNG) vide their OM dated 19.11.2013[1] have issued guidelines for vigilance structure in JVs and Subsidiaries under its administrative control. The same may be considered for adoption by other ministries / departments with suitable modifications, as per their requirement.

7.0 MONITORING OF VIGILANCE CASE(S) AND SUBMISSION OF PERIODIC REPORT(S) BY THE CHIEF VIGILANCE OFFICER

7.1 The CVO should conduct a review of all pending vigilance related matters, such as complaints pending for investigation, actions subsequent to submission of investigation report, pending disciplinary cases (departmental inquiries and cases where implementation of advice tendered by the Commission is pending) etc., in the first week of every month. The CVO should take appropriate steps for bringing to the notice of the authorities, all such pending matters and impress upon them to bring the cases to a logical conclusion, within the advised time frame and in accordance with the extant guidelines. Needless to say that the CVO has to ensure that all complaints, cases and other issues pending in the vigilance unit are also processed as per the advised timelines and guidelines.

7.2 Structured meetings of the Chief Executive with the CVO are required to be held on quarterly basis, for a review of vigilance work of the organisation. The proposal for the structured meeting should be initiated by the CVO. A format of presenting the data / details of vigilance work for review in the structured meeting is enclosed as 'Annexure II' to this circular.

7.3 The CVO is required to submit online QPR to the Commission, in the prescribed format, by logging into 'CVO's Corner' on the website of the Commission that is www.cvc.gov.in, by using username / password provided to each CVO. The

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[1]Ministery of Petroleum and Natural gas OM No. C-36011/22/2012-vig dated 19.11.2013 on the subject "Setting up Vigilance Administration in JVs and Subsidiaries under the Ministry of Petroleum and Natural Gas." refers, which may have been amended from time to time.

online QPR is to be uploaded by the CVO by 15th day of the succeeding month after the quarter ending in March, June, September and December i.e. by 15th April, 15th July, 15th October and 15th January respectively.

7.4 The CVO is required to take a printout of the QPR submitted to the Commission online, append signature on the same and keep it as part of official record.

7.5 The CVO is also required to submit the Quarterly Progress Report about the Works, Procurements of Goods & Services and Consultancy etc., to the CTE's Organisation by 15th day of the month following the quarter ending March, June, September and December.

7.6 The threshold value (monetary limit) of the contracts to be reported in Quarterly Progress Report is prescribed in the Commission's Circular No. 02/03/2026 dated 16.03.2026, which is available on the website of the Commission that is www.cvc.gov.in under the head 'Publications', sub-head 'Circulars'. The details of contracts of different disciplines are to be submitted separately.

8.0 PROTECTION AGAINST VICTIMIZATION OF CHIEF VIGILANCE OFFICERS AND VIGILANCE FUNCTIONARIES

8.1 The Commission recognizes the need to allow the CVO and vigilance functionaries to work independently and freely without any fear, as the same is the foundation for effective vigilance administration in any organisation.

8.2 Any complaint against the CVO / Ex-CVO (in respect of the work done by him in his capacity as CVO of any organisation) should be immediately forwarded to the Commission, in case the complaint is received by any organisation. The Commission would decide further course of action on such a complaint.

8.3 Further, in order to provide the required degree of protection / independence to vigilance functionaries, the following steps are to be ensured:-

(i) Personnel in Vigilance Unit of any organisation are to be posted only with the concurrence of the CVO concerned and their tenure would be guided by the provisions as mentioned in Para 9 of this circular.

(ii) On completion of the tenure / transfer of vigilance functionaries from the vigilance unit to another department or unit, he shall not be posted to work under an official against whom the vigilance functionary had undertaken preliminary enquiry / detailed investigation. The Annual Performance Appraisal Report (APAR) of erstwhile vigilance functionary shall not be written by such official, under any circumstances.

(iii) The CVO should ensure that no vigilance functionary should be asked to undertake investigation against an official under whom that vigilance functionary is posted. If any such occasion arises where an official against whom the vigilance functionary had conducted preliminary enquiry / detailed investigation, is his controlling officer or is likely to assess his performance for the past period, it should be ensured that the APAR of that vigilance functionary is written by the next reporting level, to prevent undue harassment. As a principle, the officials who are / were under investigation should not be allowed to write the APAR of official(s) who conducted preliminary enquiry / detailed investigation against them.

(iv) Any complaint against a vigilance functionary / ex-vigilance functionary, other than the CVO (in respect of the work done by him in his capacity as vigilance functionary of the organisation), shall be looked into by the CVO concerned and further action may be taken as per the prescribed procedure.

(v) The vigilance functionary, irrespective of grade or pay scale, on completion of tenure / transfer from the vigilance unit, is to be deemed to be under the purview of the Commission for the purpose of consultation in respect of any disciplinary matter against him. Such protection would be extended for a period of not less than five years from the date of completion of tenure / transfer from the vigilance unit.

(vi) The vigilance functionary, on completion of tenure / transfer from the vigilance unit, shall be entitled to represent through the CVO of the organisation, to the Commission, if any victimisation as a consequence of his working in the vigilance unit is perceived. Such actions of victimization would include transfer, denial of promotion or any administrative action not considered routine or normal and the protection shall be extended for a period of not less than five years from the date of completion of tenure / transfer of such functionary from the vigilance unit.

(vii) Any incident of perceived or real victimization of erstwhile vigilance functionary is to be reported to the Commission by the CVO, up to a period of five years after completion of the tenure of such functionary in the vigilance unit.

(viii) Any incident of real or perceived victimization of the vigilance functionary (presently working in the vigilance unit) is also to be reported to the Commission by the CVO, immediately on such incident coming to notice.

(ix) Any incident of a deserving vigilance functionary (present or erstwhile) being ignored / superseded in matters of promotion is also to be reported to the Commission by the CVO, immediately on such incident coming to notice.

9.0 ROTATIONAL TRANSFER OF VIGILANCE FUNCTIONARIES

9.1 It may be noted that all posts in the vigilance unit of an organisation are to be considered as sensitive posts and periodical rotational transfer of an official holding such a post is also to be effected by the organisation.

9.2 Initial posting of an official in the vigilance unit of an organisation is to be for a period of three years only. If considered necessary, the tenure of the vigilance functionary may be extended for a minimum period of three months and a maximum period of two years, only after review of his performance, based on his efficiency, integrity and requirement for completion of work on hand, etc. The continuation of a vigilance functionary in vigilance unit beyond a period of three years shall be subject to the concurrence of the CVO and approval of the CA. In case, the position of the CVO is vacant, concurrence of the Head of the vigilance unit shall be required for granting extension of tenure beyond three years. The functionary posted in the vigilance unit should not continue beyond a period of five years or the period for which extension for posting in the vigilance unit was granted / obtained, whichever is earlier.

9.3 In case of non-performance of the vigilance functionary or due to any other sensitive issue, the CA may transfer the vigilance functionary any time during his posting in the vigilance unit, with the concurrence of the CVO.

9.4 In case of disagreement between the CVO and the CA regarding retention/ transfer of a vigilance functionary, which is not finally resolved, the matter may be placed before the Chief Executive of the organisation concerned for a final decision. In case, the CA is the Chief Executive of the organisation, the matter may be placed before the Board of Directors / Governing body of the organisation or Secretary of the administrative ministry, as the case may be, for resolving the difference.

9.5 After transfer of a vigilance functionary from the vigilance unit, irrespective of the period for which he has served there, he should undergo a cooling off period of a minimum of two years, before being considered for posting in the vigilance unit again, if necessary.

9.6 In an organisation where there is a separate vigilance cadre, the vigilance functionary may be transferred to another post /place in the vigilance unit after completion of a tenure of three years at one post/place in the vigilance unit.

9.7 It is clarified that guidelines of the Commission are for transfer of a vigilance functionary from the vigilance unit or for shifting to another post / place in vigilance unit, as the case may be. The guidelines of the Commission are not for transfer from one station to another station. Transfer of a vigilance functionary from one station to another station is to be governed by the transfer policy of the organisation concerned.

10.0 ROLE OF THE CHIEF VIGILANCE OFFICER - MANAGING CONFLICT OF INTEREST

10.1 The CVO and the other vigilance functionaries should not get involved in decisions in individual cases like works / procurement, etc., having financial implications or such matters on which they might be required, at a later stage, to sit in judgment from a vigilance point of view. The CVO and the vigilance functionaries should not be given any operational duties as it may lead to conflict of interest, apart from leaving them with little time for effective performance of vigilance related functions. However, the CVO may be consulted by the management in formulating a policy requiring implementation of preventive vigilance measures.

10.2 It may not be difficult to comply with the requirements as stated in Para 10.1 of this circular, in respect of full time vigilance functionaries. In respect of part-time vigilance functionaries, the guidelines as stated in Para 10.1 of this circular, may be observed by confining their duties, other than those connected with vigilance work, as far as possible, to such areas of work that are either free from vigilance angle or preferably serve as an input to vigilance activities, such as inspection, audit, etc.

10.3 In case any duty with financial implications or having vigilance sensitivity is assigned to the CVO or any other vigilance functionary, the matter should be immediately brought to the notice of the Commission for appropriate intervention.

10.4 An outsider officer appointed as CVO in any CPSE / organisation shall not be permanently absorbed in the same organisation on expiry or in continuation of his tenure as CVO in that organisation.

11.0 FACILITIES, PERKS ETC. TO THE CHIEF VIGILANCE OFFICERS, HOLDING ADDITIONAL CHARGE

11.1 On a few occasions, due to administrative reasons, the CVO of an organisation may be given additional charge to function as the CVO of other organisation(s), on a temporary basis. It may be noted that the pay, facilities, perks and perquisites are to be availed by the CVO, as admissible to him in the organisation where he is holding 'substantive' charge as CVO. He should neither request for, nor avail of any facility, perks, perquisites etc. from the organisation, where he is holding only additional charge.

11.2 However, the organisation, where the post of CVO is being held on additional charge basis, would continue to provide the required support / assistance for discharge of official duties. Such support / assistance may be in the form of use of office premises, adequate support staff, secretarial assistance in office, telephone, other office equipment, accommodation and travel [including official vehicle, Travelling Allowance (TA) / Dearness Allowance (DA)], while attending office or on official tours etc., as may be required for discharge of official duties.

11.3 The CVO should refrain from availing any facility beyond his eligibility, from the organisation where he is working. In case any extra facility is obtained or sought by CVO, it would adversely affect the independence of the CVO's functions and the effectiveness of vigilance administration.

12. CIRCULARS ISSUED BY THE CENTRAL VIGILANCE COMMISSION COVERING IMPORTANT ASPECTS OF VIGILANCE ADMINISTRATION

The Commission has issued Master Circulars covering important topics relating to effective vigilance administration. The important topics as covered in different Master Circulars are given in the table at **Annexure-III**.

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ANNEXURE-I

Format for Factual Report

1. **Gist of allegations**
   (Each allegation to be numbered separately)

2. **Facts***

   (i) Relevant facts relating to the allegations under consideration to be enlisted allegation wise, in chronological order.
   (ii) Each fact should be supported by relevant documents, rules, procedures etc. Facts to be arranged in the same order in which allegations are stated.
   (iii) While annexing the documents, the relevant portion to be highlighted.
   (iv) In addition to issues raised in the complaint, there may be other relevant facts pertaining to the same case, which may be stated in separate paras in the Factual Report (FR).
   (v) Name, Designation & Service (if applicable) of the official(s) involved in processing / decision making process pertaining to the issues under scrutiny to be mentioned, allegation wise.

The CVO or the organisation is not required to give opinion about the culpability of the official(s), at the time of submission of FR.

Annexure-II

Format for review of vigilance work / matters by Chief Executives / Head of Departments with CVOs of Organisations /Departments

1. COMPLAINTS AND INVESTIGATION REPORTS:

A.

Complaints pending investigation with CVO over the time limits prescribed (including PIDPI complaints)	Reasons for pendency & action proposed
Category -A- CVC references	
Category B- Non CVC references	
Complaints referred to CBI for investigation	

B.

Cases pending action on investigation reports/CVC Ist stage advice	Reasons for pendency & action proposed
Category-A-CVC Ist stage advice cases	
Category-B- CVO references	

2. DEPARTMENTAL PROCEEDINGS:

A.

Details of cases of delay in appointment of IO/PO	Reasons for delay & action proposed

B.

Cases pending Inquiry with IOs over 06 months	Reasons for delay & action proposed

C.

Cases pending issue of Final Orders. Category -A- CVC 2nd stage advice Category-B- Other Cases.	Reasons for delay & action proposed

3. PROSECUTION SANCTIONS:

Details of cases pending sanction for prosecution	Name and Designation of Competent Authority	Reasons and status of processing sanctions

4. PREVENTIVE VIGILANCE:

A. AGREED LIST/ODI LIST :-

	Action taken by CVO/Management	Actions pending with CVO/Management since when & why
Agreed List		
ODI List		

B.

Date of last revision of sensitive posts in the organisation **(please refers para 3.3 of Master Circular on Identification of Sensitive Posts and Rotation of Officers / Officials Holding Sensitive Posts)**	

C. Rotational Transfers of employees holding sensitive posts:

Category/Levels		Number of officers / officials due for rotation	Number of officers / officials transferred by the Management	Number of officers / officials not transferred.	Reasons and action proposed.
1	Group-C*				
2	Group-B*				
3	Group-A up to DS/Director level*				
4	Jt. Secretary and above*				

*Categories/Levels for Banks and PSUs:

Category	Banks	PSUS
1.	Below Scale-III	Below E-4
2.	Scale-III & IV	E-5 & E-6
3.	Scale-V and above	E-7 to E-9
4.	Board level appointees	Board level appointees

D. Training Courses conducted by CVO:-

5. SYSTEMIC IMPROVEMENT:

A.

Systemic improvements suggested by CVO	Action taken status

B.

New Initiatives proposed for proactive vigilance	Action taken status

C.

Leveraging Technology Initiatives	Present compliance status	Action/Issues pending
a. Publishing Tenders/Contracts on the Organisations/Departments website.		
b. Details of tender/contracts awarded with status of implementation on website.		
c. E-payments/Bill watch		
d. E-procurement etc.		
e. Project Management		
f. Any other specific initiatives		

D.

Inspections/Preventive Checks of areas/work	Results thereof	Action recommended
CTE Type Intensive Examination		
Surprise/Preventive Checks		
Joint surprise check with CBI		

E.

Frauds, if any detected	Action taken status

6. MANPOWER IN VIGILANCE :

Sanctioned Strength	In Position	Action for filling up vacancies/augmentation

7. ANY OTHER SPECIFIC ISSUE OF CONCERN.

Annexure-III

S. No.	Master Circular	Topics covered
1	Master Circular No. 01/MC/2026 on Definition of Vigilance Angle	i) Misconduct having a perceivable vigilance angle. ii) Misconduct specific to Public Sector Banks having a perceivable vigilance angle. iii) Misconduct specific to Public Sector Insurance Companies having a perceivable vigilance angle. iv) Misconduct to be considered for deciding vigilance angle in respect of Quasi Judicial functions.
2	Master Circular No. 02/MC/2026 on Role & Function of CVOs and Protection to CVOs and other Vigilance Functionaries.	i) Role of the CVO in Punitive Vigilance, Preventive and Participative Vigilance, Surveillance and Detection activities. ii) Other important functions of the CVO iii) Tour Programme of the CVO iv) Vigilance Administration in subsidiaries & Joint Venture v) Submission of Periodical Returns to the Commission. vi) Protection and Rotational Transfer of Vigilance Functionaries vii) Facilities, Perks and Allowances to the CVO holding additional charge. viii) Sharing of information between CVOs.
3	Master Circular No. 03/MC/2026 on Handling of Complaints by CVOs and Organisations.	i) Sources of information about corruption. ii) Action on complaints received from the Commission or directly from the complainant. iii) Action on complaints against Secretary / Board Level Officers. iv) Action on complaints against CVOs / Vigilance Functionaries. v) Action on complaints received under PIDPI Resolution,2004. vi) Action on person making false complaints and withdrawal of complaints.
4	Master Circular No. 04/MC/2026 on processing of complaints received under PIDPI Resolution - 2004.	i) Important features of PIDPI Resolution, 2004. ii) Procedure for processing of complaints received under PIDPI Resolution , 2004. iii) Protection to PIDPI Complainant. iv) Role of Designated Authority as per PIDPI

			Resolution, 2004.
5	Master Circular No. 05/MC/2026 on Procedure for Processing Request for Sanction for Prosecution under the Provisions of PC Act-1988.	i) ii) iii)	Prior sanction for prosecution under PC Act,1988. Guidelines for the Competent Authority to consider proposals received for Prosecution Sanction. Advice of the Commission in cases where prosecution sanction is required under PC Act,1988.
6	Master Circular No. 06/MC/2026 on Procedure for obtaining and implementing the advice of the Central Vigilance Commission .	i) ii) iii) iv) v) vi) vii) viii) ix) x) xi) xii) xiii) xiv) xv) xvi) xvii)	Procedure for obtaining FSA of the Commission. Procedure for seeking reconsideration of FSA of the Commission. Time limit for submitting clarification to the Commission Simultaneous criminal and disciplinary action Handling of composite cases Reference to DoPT in cases of deviation from the advice of the Commission. Procedure for obtaining SSA of the Commission. Reconsideration of SSA of the Commission. Expeditious Action in respect of official due to retire shortly Disagreement with the advice of the Commission. Consultation with DOPT for deviation from the advice of the Commission. Accountability for delay in implementation of the advice of the Commission Implementation of the advice of the Commission. Self-contained speaking and reasoned order to be issued by the Competent Authority Deviation from the advice of the Commission by the Competent Authority Reporting of cases of deviations from the advice of the Commission Procedure regarding acceptance of resignation
7	Master Circular No. 07/MC/2026 on Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial	i) ii) iii) iv) v)	Definition of Vigilance angle in PSBs. Mandate of IAC in PSBs Role of CVO in determination of vigilance angle and staff accountability in PSBs. Vigilance Administration in RRBs. Preventive vigilance in PSBs and RRBs.

	Institutions.	vi) Fraud Reporting to the Commission. vii) Definition of Vigilance Angle in PSICs viii) Mandate of IAC in PSICs ix) Role of CVO in determination of Vigilance Angle and in Preventive vigilance in PSICs x) Definition of Vigilance Angle in PSFIs xi) Vigilance Administration in PSFIs
8	Master Circular No. 08/MC/2026 on Timely Initiation and Finalisation of Disciplinary Action.	i) Model Time schedule for investigation and Disciplinary Action. ii) Steps for reducing delay in Disciplinary Action. iii) Handling petition of bias made by COs. iv) Uniformity in levels of processing of vigilance cases.
9	Master Circular No. 09/MC/2026 on Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts	i) Identification of sensitive posts. ii) Rotational transfer of officials holding sensitive posts.

ACRONYM / ABBREVIATION

Abbreviation	Full Form
AA	Appellate Authority
APAR	Annual Performance Appraisal report
ATR	Action Taken Report
CA	Competent Authority
CBI	Central Bureau of Investigation
CCS(CCA) Rules	Central Civil Services (Classification, Control and Appeal) Rules
CPSE	Central Public Sector Enterprises
CTEs	Chief Technical Examiners
CVO	Chief Vigilance Officers
DA	Disciplinary Authority
DOPT	Department of Personnel & Training
DPE	Department of Public Enterprises
FR	Factual Report
I/E Report	Intensive Examination Report
IO	Inquiry Officer
I&R	Investigation and Report
JVs	Joint Ventures
LEA	Law Enforcement Agency
MAVU	Management Audit of Vigilance Unit
MHA	Ministry of Home Affairs
M/O PNG	Ministry of Petroleum & Natural Gas
NA	Necessary Action
OM	Office Memorandum
PIDPI	Public Interest Disclosure & Protection of Informers
QPR	Quarterly Performance Report
RA	Revising Authority
SPVs	Special Purpose Vehicles

सत्यमेव जयते

Master Circular No. : 03/MC/2026

MASTER CIRCULAR
ON
HANDLING OF COMPLAINTS BY THE CHIEF VIGILANCE OFFICER AND THE ORGANISATION

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-3

दिनांक / Dated 27.07.2026

Master Circular No. : 03/MC/2026

Subject: Master Circular on Handling of Complaints by the Chief Vigilance Officer & the Organisation.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for handling of complaints by the CVOs and the organisation.

2. The Commission, in order to ensure ease of reference about the procedure for handling of complaints by the CVOs and the organisation, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on this subject. The same have been compiled in the form of Master Circular No 03/MC/2026 titled '**Handling of Complaints by the Chief Vigilance Officer and the Organisation'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(Trishaljit Sethi)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Handling of Complaints by the Chief Vigilance Officer and the Organisation

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Handling of Complaints by the Chief Vigilance Officer and the Organisation'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding 'Handling of Complaints by the Chief Vigilance Officer and Organisation' and is aimed at bringing clarity about the same.

3. INTRODUCTION

A complaint is a piece of statement or information containing details about offences alleged to have been committed under the Prevention of Corruption Act, 1988 (as amended w.e.f. 26.07.2018), or any malpractice / misconduct under Conduct Rules governing specified categories of public servants.

4. SOURCES OF INFORMATION ABOUT CORRUPTION

Information about corruption, malpractice or misconduct on the part of an official may flow to the Administrative Authority, the Commission, the CVO, the Central Bureau of Investigation (CBI) or the Police Authorities, from any of the following or other sources:-

(a) Complaints received from employee(s) of the organisation or from the public;
(b) Departmental inspection reports and stock verification surveys;
(c) Scrutiny of annual property statements;
(d) Scrutiny of transactions reported under the Conduct Rules;
(e) Reports of irregularities detected in the routine audit of accounts;
(f) Audit reports on Government accounts and on the accounts of public undertakings and other corporate bodies, etc.;

(g) Reports of Parliamentary Committees like the Estimates Committee, Public Accounts Committee and the Committee on Public Undertakings;
(h) Proceedings of the Houses of Parliament;
(i) Complaints and allegations appearing in the press, etc.;
(j) Source information, if received verbally from an identifiable source, to be reduced in writing; and
(k) Intelligence gathered by agencies like CBI, Anti-Corruption Bureau etc.

5.0 COMPLAINT HANDLING POLICY OF ORGANISATIONS

5.1 Each organisation is required to formulate a documented Complaint Handling Policy explaining the procedure to receive and deal with complaints so received by them. In the present digital era, the policy may also provide for receipt of complaints through appropriate alternate online channel(s), in addition to receipt of complaints through physical mode.

5.2 The policy should also make it clear that any complaint / grievance received in the organisation by any functionary, containing an element of alleged corruption, malpractice or misconduct etc. should necessarily be sent to the CVO of the organisation for scrutiny and further necessary action.

6.0 ACTION ON COMPLAINTS RECEIVED IN THE ORGANISATIONS DIRECTLY FROM COMPLAINANTS

6.1 Each complaint received in the vigilance unit of the organisation should be entered in the vigilance complaint register, to be maintained by the vigilance unit. Such a register should be maintained preferably in electronic form and in a manner in which no manipulation of data / information is possible. Each complaint should be entered in chronological order, as received in the vigilance unit. A complaint containing allegations against several officials may be treated as one complaint for statistical purpose.

6.2 In the vigilance complaint register, entries are to be made as per Form CVO-1 (**copy enclosed as Annexure-I**). Entries should be made separately for Category 'A' and Category 'B' officials. Category 'A' would include those officials, who are covered under the jurisdiction of the Commission and Category 'B' would include officials outside the jurisdiction of the Commission. If a complaint involves both categories of officials, it should be entered under Category 'A'.

6.3 On initial perusal / scrutiny of complaint, if it is found that the complaint is an anonymous one, the same should invariably be filed, without further action, with the approval of the CVO. Under no circumstances, should any investigation or any other action be initiated on an anonymous complaint.

6.4 A complaint that does not bear the name and / or complete address of the complainant may also be filed without further action, treating it as a pseudonymous complaint.

6.5 If the allegation(s) in the complaints (other than those complaints mentioned in Paras 6.3 and 6.4 of this circular), are found to be vague, unverifiable, without any substance, without vigilance angle and relate to purely administrative matters such as late attendance, disobedience, insubordination, lack of supervision etc., such complaints, with the approval of the CVO, may be considered for filing or for forwarding the same to the administrative authority concerned for further Necessary Action (NA). It may be noted that a complaint received by CVO should not be filed merely on the basis of the complaint being addressed or endorsed to multiple authorities. Action on such complaints should be decided on the basis of allegations made in the complaint.

6.6 On scrutiny, if it is observed that the complaint contains specific and verifiable allegations of corruption or has a perceivable vigilance angle, the CVO may decide to take up the complaint for investigation. Before initiating investigation, it is mandatory for the CVO to seek confirmation from the complainant about owning / disowning the complaint. The complainant would also be required to provide a self-attested proof of his identity, issued by any government agency. If no response is received from the complainant within 15 days, a reminder is to be sent thereafter. Further, if no response is received even after 15 days of the reminder, the complaint in question is to be filed, treating the same as a pseudonymous one. No investigation or any other action is to be initiated without receipt of confirmation from the complainant.

6.7 In case the CVO considers it necessary, he may examine the relevant records / files pertaining to the allegations made in the complaint, before ordering detailed investigation. It may be ensured that a final decision to take up the complaint for investigation or to send it for NA, or to file it, is taken within 02 months of the receipt of the complaint in the vigilance unit.

6.8 After receipt of confirmation from the complainant, the investigation should be started immediately and should be completed within a period of 03 months.

6.9 On completion of investigation, one of the following actions is required to be taken by the CVO:-

(i) If all / any of the official against whom misconduct having vigilance angle is observed, are covered under the jurisdiction of the Commission, the case is required to be forwarded for obtaining First Stage Advice (FSA) of the Commission.

(ii) In a composite case (as defined in Para 6.10 of this circular), if misconduct having vigilance angle is observed against the official(s) outside the jurisdiction of the Commission and administrative / procedural irregularities are observed against the official(s) covered under the jurisdiction of the Commission, the case is required to be forwarded for obtaining FSA of the Commission.

(iii) However, in a composite case, if no vigilance angle is observed in respect of any official, whose roles have been investigated, the case would be brought to a logical conclusion by the Disciplinary Authority (DA) concerned without referring the case to the Commission for advice or without involvement of the CVO.

(iv) In a composite case, if no irregularity / lapses are observed against the official(s) covered under the jurisdiction of the Commission, the case may be dealt with by the CVO / authorities concerned in the organisation without referring the case to the Commission in accordance with the guidelines as contained in Paras 4.7 and 4.9 of 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission', even if vigilance angle is observed in respect of misconduct noticed on the part of official(s) outside the jurisdiction of the Commission.

(v) If all the officials whose role has been investigated are outside the jurisdiction of the Commission and no vigilance angle is observed in respect of irregularities taken up for investigation, that case would be brought to a logical conclusion by the DA concerned, without further involvement of the CVO.

6.10 A case in which the role of one or more official(s) covered under the jurisdiction of the Commission has been investigated, alongwith the role of official(s) outside the jurisdiction of the Commission, is to be considered as a 'composite case'. It may be noted that in a composite case, all the official(s), whether under the jurisdiction or outside the jurisdiction of the Commission, are to be considered under the jurisdiction of the Commission for that particular case, subject to the guidelines as stated in Para 6.9 (ii) and (iv) of this circular.

6.11 In case, on scrutiny of the complaint, it is observed that (a) the allegations contain criminal misconduct; (b) require investigation / inquiry of persons / entities outside the jurisdiction of the CVO concerned; (c) involve examination of records / documents, which cannot be summoned by the CVO; (d) require expert police investigation to arrive at the logical conclusion, the matter may be referred by the CVO to CBI or other Law Enforcement Agency (LEA), as the case may be, with the prior approval of the Chief Executive of the organisation concerned. In case of

difference of opinion between the CVO and the Chief Executive, the matter should be referred to the Commission for advice, in order to resolve the difference of opinion.

6.12 In case it comes to notice that the allegations levelled in the complaint received in the organisation concerned is already under enquiry / inquiry / investigation with any LEA, a parallel investigation may be avoided. However, investigation on non-criminal misconduct may be initiated / continued after informing the LEA about the same.

7.0 PROCEDURE FOR HANDLING COMPLAINTS RECEIVED IN THE ORGANISATION AGAINST SECRETARIES TO GOVERNMENT OF INDIA AND CHIEF EXECUTIVES / CHAIRMAN AND MANAGING DIRECTORS AND FUNCTIONAL DIRECTORS

7.1 Complaints against Secretaries to the Government of India, received by the Cabinet Secretariat, Department of Personnel and Training (DoPT) or Prime Minister's Office are to be referred to Group of Secretaries headed by the Cabinet Secretary, in accordance with DoPT's Office Memorandum (OM) dated 09.10.2024[1].

7.2 Similarly, complaints against the Chief Executives and Functional Directors of Central Public Sector Enterprises and Chairman and Managing Directors (CMDs) & Functional Directors of Public Sector Banks, Financial Institutions and Public Sector Insurance Companies received directly in the Prime Minister's Office, Cabinet Secretariat or Department of Public Enterprises (DPE) are to be referred to Group of Officers headed by Secretary (Coordination), in accordance with DPE's OM dated 22.07.2025[2].

7.3 In respect of a complaint against a Board-level appointee, whether figuring alone or along with other official(s), received in the ministry / department, action / investigation if required, is to be initiated only by the CVO / Competent Authority (CA) in the administrative ministry. Such complaint should not be forwarded to the organisation concerned (where the Board level appointee is working or has worked) for detailed investigation. However, the CVO / authority concerned of the administrative ministry may ask the CVO of the organisation for a Factual Report (FR), which is to be prepared on the basis of records / documents only. No clarification / explanation of any official is required to be obtained at this stage. CVO of the organisation is not required to make analysis or draw conclusions. Further action, including detailed investigation, as may be required as per prescribed procedure, shall be initiated by the CVO / authority concerned of the administrative ministry.

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[1] DoPT's OM No. 104/76/2024-AVD.VI dated 09.10.2024 on the subject "Revised guidelines regarding handling of complaints in Ministries / Departments / Organisations of Government of India" which may have been amended from time to time.

[2]DPE's OM No.15 (2)/2001-DPE (GM), dated 22.07.2025 on the subject "Consolidated and revised guidelines regarding Vigilance Policy for Central Public Sector Enterprises (CPSEs)", which may have been amended from time to time.

7.4 Any complaints against a Board level appointee whether figuring alone or along with other officers / officials, if received in the organisation (where the Board level appointee is working or has worked), is to be forwarded by the CVO of the organisation concerned to the CVO of the administrative ministry for taking further action, as may be required. Under no circumstances should the CVO of the organisation concerned initiate action on complaints against Board-level appointees, received in the organisation, directly.

8.0 COMPLAINTS AGAINST CHIEF VIGILANCE OFFICERS / VIGILANCE OFFICERS

8.1 Any complaint against the CVO / Ex-CVO (in respect of the work done by him in his capacity as CVO of any organisation) should be immediately forwarded to the Commission, in case the complaint is received by any organisation. The Commission would decide further course of action on such complaints.

8.2 The complaints against vigilance functionaries / ex-vigilance functionaries, other than CVO (in respect of the work done by them in their capacity as vigilance functionaries of the organisation), shall be looked into by the CVO concerned and further action may be taken as per prescribed procedure.

9.0 ACTION ON COMPLAINTS RECEIVED FROM THE CENTRAL VIGILANCE COMMISSION

9.1 On scrutiny of a complaint received in the Commission, it may decide to forward the complaint to the CVO / organisation concerned for conducting Investigation and Report (I&R), for submitting Factual Report (FR) or for taking further Necessary Action (NA) in the matter.

9.2 In those cases, where the Commission has forwarded the complaint to the CVO / organisation concerned for I&R, the CVO / organisation is required to complete investigation within 03 months from the date of receipt of reference from the Commission or within such time as may be specified by the Commission. In such cases, the CVO / organisation is required to forward the investigation report to the Commission for obtaining its advice, irrespective of the outcome of the investigation or the level of the official(s) found involved in the case. Further action is to be taken only after receipt of advice of the Commission.

9.3 It is emphasized that the time limit for I&R as may be specified by the Commission should be adhered to by the CVO / organisation concerned. However, in case, due to some unavoidable reason(s), it is not possible to complete investigation

within the specified time limit, the CVO / organisation should approach the Commission for extension of time, along with an interim reply / report, indicating the progress of investigation, reasons for delay and the period of time within which the investigation would be completed.

9.4 It may be noted that complaints referred by the Commission to the ministries / departments against the categories of officials mentioned in Paras 7.1 and 7.2 of this circular, should not be forwarded to the Group of Secretaries or Group of Officers for consideration. Such complaints are to be acted upon and report is to be submitted to the Commission (if sought for by it) by the respective authorities to whom the complaints have been referred by the Commission.

9.5 In respect of a complaint involving Board level appointees, if required, the Commission would call for I&R from the CVO of the administrative ministry / department. Such a complaint should not be forwarded by the CVO of the ministry / department to the organisation (where the Board level appointee is working or has worked) for detailed investigation. However, the CVO of the administrative ministry / department may ask the CVO of the organisation for FR. Detailed investigation and other action, as per prescribed procedure, shall be initiated by the CVO /Authority in the administrative ministry.

9.6 The Commission forwards a complaint to the CVO / organisation concerned for I&R, after obtaining confirmation and proof of identity from the complainant. Hence, the CVO / organisation concerned is not required to obtain confirmation from the complainant on such a complaint.

9.7 In respect of a complaint forwarded by the Commission for FR, the FR is to be submitted to the Commission, within a period of one month from the date of receipt of complaint by the CVO / authority concerned. A format for submitting FR to the Commission is enclosed as Annexure-II.

9.8 On receipt of FR, the Commission may decide to ask for I&R. In such cases, the CVO / authority concerned is required to forward the report within a period of two months from the date of receipt of communication from the Commission. Action in respect of a complaint forwarded by the Commission for FR or I&R, is to be finalized after obtaining the advice of the Commission, irrespective of the level of the official found involved or even if the allegations are found to be unsubstantiated.

9.9 The Commission may also forward a complaint to the CVO / organisation for NA. Once a complaint is sent for NA, the CVO / organisation concerned is required to scrutinize the same thoroughly and then decide about further action within a period of two months from the date of receipt of complaint from the Commission. The action

taken on such complaints may be in accordance with guidelines as contained in Paras 6.1 to 6.11 of this circular.

9.10 The Commission in respect of a complaint forwarded by it for NA, does not seek confirmation from the complainant. In case, on scrutiny of such a complaint, it is decided to conduct detailed investigation, the same should be done after seeking confirmation from the complainant.

9.11 Complaints sent by the Commission for NA, other than those referred in Para 6.9 (i) and (ii) of this circular, need not be referred to the Commission for advice. Such complaints may be brought to a logical conclusion by the authorities in the organisation, in accordance with the extant procedure.

9.12 All complaints, whether for I&R or for NA, are forwarded to the CVOs / organisations concerned, through the Complaint Management System (CMS) Portal of the Commission i.e. www.portal.cvc.gov.in. The status of all such complaints is to be updated by the CVO on the CMS Portal within the time period as specified by the Commission.

9.13 All CVOs are required to regularly access the CMS Portal i.e. www.portal.cvc.gov.in. regarding complaints forwarded by the Commission to them by using the Login ID and Password, provided by the Commission.

10.0 COMPLAINTS UNDER PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS RESOLUTION-2004

10.1 As per Public Interest Disclosure and Protection of Informers (PIDPI) Resolution dated 21.04.2004[1], the Commission, as the Designated Agency, is authorized to receive and act on written complaint(s) / information or disclosure from complainants about any allegation of corruption or misuse of office against all officials of Central Government or of any organisation owned or controlled by Central Government.

10.2 As per amendment dated 14.08.2013[2], the CVOs of the ministries or departments of the Government of India are also authorized as the Designated Authority to receive and act on written complaint(s) / information or disclosure from complainant(s) about any allegation of corruption or misuse of office against all officials of that Ministry or Department or any organisation falling under the jurisdiction of that Ministry or Department.

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[1] PIDPI Resolution No. 371/12/2002-AVD-111 dated 21.04.2004 issued vide Gazette Notification No. 371/12/2002-AVD-III refers.
[2] DoPT Gazette Notification No. No.371/4/2013-AVD-III dated 14.08.2013 refers.

10.3 The detailed procedure for receiving and processing of complaints made under the provisions of PIDPI Resolution is prescribed in the 'Master Circular No. 04/MC/2026 on Processing of Complaints received under Public Interest Disclosure and Protection of Informers Resolution-2004'.

11. ACTION ON COMPLAINTS RECEIVED FROM MEMBER(s) OF PARLIAMENT AND VERY IMPORTANT PERSON(s)

References received from Member(s) of Parliament (MPs) and Very Important Persons (VIPs) are to be dealt with as per procedure laid down in the Central Secretariat Manual of Office Procedure (CSMOP) issued by the Department of Administrative Reforms and Public Grievances (DARPG)[1&2]. A number of complaints are being received on the letter heads of MPs / VIPs under their signatures. It has been noticed that later on some of the communications were found not to have originated from the MPs / VIPs and the signatures were also found to have been forged. Hence, as a measure of abundant caution, confirmation shall be sought from the MPs / VIPs concerned of having sent the complaint. The communication acknowledging receipt of complaint from the MP / VIP and request for confirmation should be sent strictly as per the procedure laid down in CSMOP. It may be noted that no proof of identity is to be sought from the MP / VIP. Only a confirmation letter from them would suffice. On receipt of confirmation, the complaint shall be dealt with on priority.

12.0 ACTION AGAINST PERSONS MAKING FALSE COMPLAINTS

12.1 There are specific provisions in law to deal with false, frivolous, and motivated complaint(s). The same are not invoked ordinarily so as not to discourage genuine complainant(s). However, in a case where it can be established that the complaint was lodged with a malafide / ulterior motive to harass or harm an innocent official, necessary action may be taken against such a complainant under provision of Section 217 of Bharatiya Nyaya Sanhita-2023 [earlier Section 182 of the Indian Penal Code, 1860] and Section 215 (1) (a) of Bharatiya Nagarik Suraksha Sanhita -2023 [earlier Section 195(1) (a) of Code of Criminal Procedure, 1973].

12.2 If a complaint of the nature as mentioned in para 12.1 above, is made by an official, disciplinary action may also be considered against such complainant.

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[1]Para 12.3 of Central Secretariat Manual of Office Procedure (CSMOP)-2022 issued by DARPG, refers, which may have been amended from time to time.

[2] An illustrative list of VIPs given in Appendix 12.4 of the CSMOP-2022, refers, which may have been amended from time to time.

13. WITHDRAWAL OF COMPLAINTS

Once a complainant confirms that the complaint was made by him, it is not permissible to withdraw that complaint. After receipt of confirmation from the complainant, the complaint should be taken to logical conclusion, even if the complainant requests for withdrawal of the complaint.

14. DISPLAY OF PUBLIC NOTICE BOARD FOR LODGING COMPLAINTS

In order to facilitate the public to lodge a complaint at the appropriate forum, all organisations under the jurisdiction of the Commission should prominently display a standard notice board at the reception of each of their offices, in English and the vernacular language mentioning that "DO NOT PAY BRIBES. IF ANYBODY OF THIS OFFICE ASKS FOR BRIBE OR IF YOU HAVE ANY INFORMATION ON CORRUPTION IN THIS OFFICE OR IF YOU ARE A VICTIM OF CORRUPTION IN THIS OFFICE, YOU CAN COMPLAIN TO THE HEAD OF THIS DEPARTMENT, OR THE CHIEF VIGILANCE OFFICER AND THE CENTRAL VIGILANCE COMMISSION (Name, complete address and telephone numbers of each authority have also to be mentioned)".

15. HANDLING OF COMPLAINTS AGAINST TENDERING PROCESS

On receipt of any complaint containing allegation(s) against any tender in process, the tender process need not be stopped. However, the allegations should be brought to the notice of the competent authority, including the purchase committee, tender committee, negotiation committee, etc. Such complaint(s) may be scrutinized and further action, if required, may be taken as per the Complaint Handling Mechanism, on declaration of the award of the contract.

16. TENTATIVE VIEW OF THE DISCIPLINARY AUTHORITY

After completion of the investigation, the CVO should forward the investigation report along with his findings and recommendations about existence of vigilance angle or otherwise to the DA, for obtaining his views and for further necessary action as per extant procedure.

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Annexure-I

PROFORMA

CVO-1

C.V.O. Register 1 of complaints to be maintained in separate columns for category A and Category B employees.

No.	Source of Complaint (See N.B.1)	Date of receipt	Name and designation of officers(s) complained against	Reference to file No	Action taken (See N.B.2)	Date of action	Remarks (See N.B.3)
1	2	3	4	5	6	7	8

N.B.:

1. A Complaint includes all types of information containing allegations of misconduct against public servants, including petitions from aggrieved parties, information passed on to the CVO by CVC, and CBI, press reports, findings in inspection reports, audit paras, PAC reports, etc. In the case of petitions the name and address of the complainants should be mentioned in Col. 2 and in other cases, the sources as clarified above should be mentioned.

2. Action taken will be of the following types: (a) filed without enquiry (b) Filed after enquiry (c) Passed on to other sections as having no vigilance angle (d) Taken up for investigation by Departmental vigilance agency.

3. Remarks Column should mention (a) and (b).

a) If there were previous cases / complaints against the same officer, the facts should be mentioned in the "Remarks" column.
b) Date of charge-sheet issued, wherever necessary

ANNEXURE-II

Format for Factual Report

1. **Gist of allegations**
   (Each allegation to be numbered separately)

2. **Facts***

   (i) Relevant facts relating to the allegations under consideration to be enlisted allegation wise, in chronological order.
   (ii) Each fact should be supported by relevant documents, rules, procedures etc. Facts to be arranged in the same order in which allegations are stated.
   (iii) While annexing the documents, the relevant portion to be highlighted.
   (iv) In addition to issues raised in the complaint, there may be other relevant facts pertaining to the same case, which may be stated in separate paras in the Factual Report (FR).
   (v) Name, Designation & Service (if applicable) of the official(s) involved in processing / decision making process pertaining to the issues under scrutiny to be mentioned, allegation wise.

The CVO or the organisation is not required to give opinion about the culpability of the official(s), at the time of submission of FR.

ACRONYM / ABBREVIATION

Abbreviation	Full Form
CA	Competent Authority
CBI	Central Bureau of Investigation
CMD	Chairman and Managing Director
CMS	Complaint Management System
CSMOP	Central Secretariat Manual of Office Procedure
CVO	Chief Vigilance Officer
DA	Disciplinary Authority
DARPG	Department of Administrative Reforms and Public Grievances
DoPT	Department of Personnel and Training
DPE	Department of Public Enterprises
FR	Factual Report
FSA	First Stage Advice
I & R	Investigation & Report
LEA	Law Enforcement Agency
MP	Member of Parliament
NA	Necessary Action
OM	Office Memorandum
PIDPI	Public Interest Disclosure and Protection of Informers
VIP	Very Important Person

सत्यमेव जयते

Master Circular No. : 04/MC/2026

MASTER CIRCULAR ON PROCESSING OF COMPLAINTS RECEIVED UNDER PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS RESOLUTION-2004

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-4

दिनांक / Dated 27.07.2026

Master Circular No. : 04/MC/2026

Subject: Master Circular on Processing of Complaints received under Public Interest Disclosure and Protection of Informers Resolution-2004.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for processing of complaints received under Public Interest Disclosure and Protection of Informers (PIDPI) Resolution-2004.

2. The Commission, in order to ensure ease of reference about the procedure for processing of complaints received under PIDPI Resolution-2004, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on the above mentioned subject. The same have been compiled in the form of Master Circular No 04/MC/2026 titled **'Processing of Complaints received under Public Interest Disclosure and Protection of Informers Resolution-2004'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Processing of Complaints received under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution -2004

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Processing of Complaints received under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution - 2004'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier Circulars / Guidelines / Office Orders / letters etc. issued by the Commission from time to time regarding 'Processing of Complaints received under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution -2004' and is aimed at bringing clarity about the same.

3.0 INTRODUCTION

3.1 Government of India published Resolution No. 89 dated 21.04.2004 (commonly known as the Public Interest Disclosure and Protection of Informers Resolution - 2004) and corrigendum vide Resolution No. 98 dated 29.04.2004 in the Gazette of India authorizing the Commission as the 'Designated Agency' to receive and act on written complaint or disclosure on any allegation of corruption or of misuse of office by any employee of the Central Government or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government.

3.2 Complaints against all levels / categories of officials of the Central Government or its organisations can be lodged with the Commission under the provisions of the PIDPI Resolution.

3.3 Subsequently, Government of India amended the Resolution No. 89 dated 21.04.2004 through Resolution dated 14.08.2013 and authorized the Chief Vigilance Officers (CVOs) of the ministries or departments of Government of India as 'Designated Authority' to receive written complaint or disclosure on any allegation of corruption or misuse of office by any employee of that ministry or department or of any corporation established by or under any Central Act, Government companies, societies or local authorities owned or controlled by the Central Government and falling under the jurisdiction of that ministry or department.

3.4 As per the Resolution dated 14.08.2013, the Commission has been authorized to supervise and monitor the complaints received by the Designated Authorities.

3.5 It is clarified that the CVO or any authority of any organisation, other than the Ministry / Department of Government of India cannot be declared as Designated Authority to receive complaints directly from the complainants, if made under the provisions of the PIDPI Resolution.

4. IMPORTANT FEATURES OF THE PIDPI RESOLUTION DATED 21.04.2004 AND AMENDMENT DATED 14.08.2013

(i) The Commission shall, as the Designated Agency, receive and consider written complaint / disclosure about corruption or mis-use of office by any category / level of employee of the Central Government or any organisation owned or controlled by the Central Government.

(ii) Any person or a public servant or non-governmental organisation, except those referred in clause (a) to (d) of Article -33[1] of the Constitution of India, can make a written complaint / disclosure to the Designated Agency or Designated Authority.

(iii) While processing the complaint or investigating the allegations, the identity of the complainant shall not be revealed by any organisation or authority, unless the complainant himself has revealed his identity to any other authority.

(iv) The Commission may call for comments / explanation of the Head of Department / Organisation concerned on the allegations / disclosures made.

(v) The Commission is authorised to call upon Central Bureau of Investigation (CBI) or police authorities, as considered necessary, to render all assistance to complete the investigation.

(vi) The Commission, on finding the allegations substantiated, shall recommend appropriate action to the organisation concerned.

(vii) If the Commission is of the opinion that the complainant or the witness needs protection, it shall issue appropriate directions to the government authorities concerned.

(viii) In the event of the identity of the complainant being disclosed in spite of the Commission's directions to the contrary, the Commission is authorised to initiate appropriate action against the person or agency responsible for making such disclosure.

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[1]The persons referred to in Article 33 of the Constitution of India are:- (a)members of the Armed Forces; or (b) the members of the Forces charged with the maintenance of public order; or (c) persons employed in any bureau or other organisation established by the State for purposes of intelligence or counter intelligence; or (d) persons employed in, or in connection with, the telecommunication systems set up for the purposes of any Force, bureau or organisation referred to in clauses (a) to (c).

(ix) The CVOs of the ministries or departments of the Government of India are also authorised as the 'Designated Authority', to receive written complaint / disclosure about corruption or mis-use of office against any employee of that ministry or department or any organisation falling under the jurisdiction of that ministry or department.

(x) If the Designated Authority is of the opinion that either the complainant or the witness needs protection, the Designated Authority shall take up the matter with the Commission for appropriate action.

(xi) If the Commission finds the complaint to be motivated or vexatious, the Commission shall be at liberty to take appropriate steps.

5.0 PROCESSING OF COMPLAINTS RECEIVED UNDER THE PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS (PIDPI) RESOLUTION – 2004

5.1 On scrutiny of a complaint received under the PIDPI Resolution, in case the Commission decides to seek Investigation and Report (I&R) on the same, the complaint would be forwarded to the CVO / organisation concerned for submitting investigation report, after concealing those contents which may reveal the identity of the complainant. The investigation report is to be submitted to the Commission within a period of 12 weeks from the date of receipt of complaint by the CVO / organisation concerned or within such time, as may be specified by the Commission. The investigation report in respect of a PIDPI complaint is also to be updated on the Commission's Complaint Management System (CMS) Portal i.e. https://portal.cvc.gov.in. Further action in the matter would be taken only after receipt of advice tendered by the Commission, in that case.

5.2 It is emphasized that the time limit of 12 weeks for submitting I&R or as may be specified by the Commission, should be adhered to by the CVO / organisation concerned. However, in case, due to some unavoidable reason(s), if it is not possible to complete investigation within the specified time limit, the CVO / organisation should approach the Commission for extension of time, alongwith an interim reply / report, indicating the progress of investigation, reasons for delay and the period of time within which the investigation would be completed.

5.3 On scrutiny of a PIDPI complaint received in the Commission, the same may also be forwarded to the CVO / organisation concerned for submitting a Factual Report (FR) to the Commission. The complaint would be forwarded after concealing those contents which may reveal the identity of the complainant. In respect of such a complaint, FR is to be submitted to the Commission, within a period of one month from the date of receipt of reference from the Commission or within such time, as may be specified by the Commission. The FR is also to be updated on the Commission's CMS Portal i.e. https://portal.cvc.gov.in.

5.4 FR is to be prepared on the basis of records / documents only and no clarification / explanation of any official is required to be obtained at this stage. A format for the submission of FR to the Commission is enclosed as Annexure-I to this circular.

5.5 On consideration of FR forwarded by the CVO / organisation concerned, the Commission may decide to call for I&R. In such a case, the CVO / organisation is required to forward the I&R within a period of two months from the date of receipt of reference from the Commission or within such time, as may be specified by the Commission.

5.6 It may be noted that action in respect of any complaint forwarded by the Commission to the CVO / organisation, under the provisions of the PIDPI Resolution, either for FR or I&R, is to be finalized only after obtaining the advice of the Commission, even if the allegations are found to be unsubstantiated.

5.7 The action to be taken on complaints received by the Designated Authorities under the provisions of the PIDPI Resolution would be guided by the procedure as laid down by Department of Personnel and Training (DoPT) and circulated vide their Office Memorandum (OM) No. 371/4/2013-AVD-III dated 16.06.2014[1].

5.8 The complaints received in the Commission under the PIDPI Resolution are forwarded to CVO / organisation after concealing / withholding the identity of the complainant. Such complaints are not to be treated as anonymous complaints as the complainant's identity has already been confirmed by the Commission, before forwarding them.

6.0 PROTECTION TO THE COMPLAINANT

6.1 In case, during the course of investigation, the identity of the complainant gets revealed due to any reason, the CVO and other authorities in the organisation have to ensure that the complainant's identity is kept confidential and no harassment or victimisation is caused to the complainant.

6.2 In case of violation of the directions of the Commission for maintaining confidentiality about the complainant's identity, the Commission is authorised to initiate appropriate action against the person or agency responsible for revealing the complainant's identity.

6.3 If the complainant feels that he is being victimized due to the fact that he had filed a complaint under the provisions of PIDPI Resolution - 2004 , he may make an application before the Commission seeking redressal in the matter.

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[1]DoPT's OM No. 371/4/2013-AVD-III dated 16.06.2014 on the subject "Amendment of Government of India's Resolution No. 89 published in the Gazette of India Part I Section 1, Extraordinary dated 21St April, 2004(read with corrigendum dated 29th April, 2004) commonly known as the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution, refers, which may have been amended from time to time.

6.4 As regards any complaint relating to victimisation or harassment of a PIDPI complainant within the organisation, the Commission would forward such a complaint to the CVO of the organisation to ensure that no harassment or victimization of the complainant takes place on the suspicion of his being a PIDPI complainant.

6.5 Either on the application of the complainant or on the basis of information gathered, if the Designated Authority is of the opinion that either the complainant or the witness(es) need protection, the Designated Authority shall take up the matter with the Commission for appropriate action.

6.6 If the Commission is of the opinion that the complainant or the witness(es) needs protection, it shall issue appropriate directions to the government authorities concerned.

6.7 On the directions from the Ministry of Home Affairs (MHA), State Governments / Union Territories have appointed Nodal Officers to provide protection to the PIDPI complainant(s), if required. The Commission, on receipt of representation from complainant(s) about threat to their life, would take up the matter with the Nodal Officer concerned, to undertake the responsibility of providing security cover to the genuine complainant(s).

7. SUPERVISION OF COMPLAINTS RECEIVED BY THE DESIGNATED AUTHORITY

As the Commission is mandated to supervise and monitor complaint(s) received by the Designated Authorities, information about action taken on PIDPI complaints received by each Designated Authority and about cases of alleged harassment / victimisation, is required to be provided to the Commission in the online Quarterly Performance Report (QPR) being submitted to the Commission.

8.0 GUIDELINES FOR LODGING COMPLAINTS UNDER THE PUBLIC INTEREST DISCLOSURE AND PROTECTION OF INFORMERS (PIDPI) RESOLUTION – 2004

8.1 The complainant may send a complaint to the Commission or to the Designated Authority through Registered Post or Speed Post without disclosing his identity to Postal Authorities. Department of Posts vide their Letter dated 03.03.2021[1] has issued instructions to all Post Offices stating that "*Any article, addressed to the CVC as well as CVOs posted with the superscription 'Complaint under the Public Interest Disclosure' or 'PIDPI Complaint' on the outside of the envelope of the article, can be accepted for posting registration and speed post service, without the name and complete address including mobile number & email address of the sender*' .

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[1] Department of Post Letter No. No. 31-01/2021-PO dated 03.03.2021 on the subject 'Issuance of instructions for non-disclosure of the identity of the complainant under "Public Interest Disclosure and Protection of Informer' refers, which may have been amended from time to time.

8.2 Separate guidelines, vide 'Public Notice No. 11/MC/2026 on Procedure for Lodging Complaints under the Public Interest Disclosure and Protection of Informers Resolution – 2004' have been issued by the Commission for the convenience of the complainants.

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ANNEXURE-I

Format for Factual Report

1. Gist of allegations

(Each allegation to be numbered separately)

2. Facts*

(i) Relevant facts relating to the allegations under consideration to be enlisted allegation wise, in chronological order.

(ii) Each fact should be supported by relevant documents, rules, procedures etc. Facts to be arranged in the same order in which allegations are stated.

(iii) While annexing the documents, the relevant portion to be highlighted.

(iv) In addition to issues raised in the complaint, there may be other relevant facts pertaining to the same case, which may be stated in separate paras in the Factual Report (FR).

(v) Name, Designation & Service (if applicable) of the officials involved in processing / decision making process pertaining to the issues under scrutiny to be mentioned, allegation wise.

***The CVO or the organisation is not required to give opinion about the culpability of the official(s), at the time of submission of FR.**

ACRONYM / ABBREVIATION

Abbreviation	Full Form
CBI	Central Bureau of Investigation
CMS	Complaint Management System
CVO	Chief Vigilance Officer
DoPT	Department of Personnel and Training
FR	Factual Report
I&R	Investigation Report
MHA	Ministry of Home Affairs
OM	Office Memorandum
PIDPI	Public Interest Disclosure and Protection of Informers
QPR	Quarterly Performance Report

सत्यमेव जयते

Master Circular No. : 05/MC/2026

MASTER CIRCULAR ON PROCEDURE FOR PROCESSING REQUEST FOR SANCTION FOR PROSECUTION UNDER SECTION 19 OF PREVENTION OF CORRUPTION ACT 1988

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
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सं. / No. 024/VGL/017-5

दिनांक / Dated 27.07.2026

Master Circular No. : 05/MC/2026

Subject: Procedure for Processing request for Sanction for Prosecution under Section 19 of Prevention of Corruption Act, 1988.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for processing request for sanction for prosecution under Section 19 of the Prevention of Corruption Act, 1988 (PC Act, 1988).

2. The Commission, in order to ensure ease of reference about the procedure for processing request for sanction for prosecution under Section 19 of the PC Act, 1988, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on this subject. The same have been compiled in the form of Master Circular No 05/MC/2026 titled **'Procedure for Processing request for Sanction for Prosecution under Section 19 of Prevention of Corruption Act, 1988'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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ACRONYM / ABBREVIATION---------- 8

Procedure for Processing Request for Sanction for Prosecution under Section 19 of the Prevention of Corruption Act, 1988

SHORT TITLE, APPLICABILITY & COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Procedure for Processing Request for Sanction for Prosecution under Section 19 of the Prevention of Corruption Act, 1988'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier Circulars / Guidelines / Office Orders / letters etc. issued by the Commission from time to time regarding 'Procedure for Processing Request for Sanction for Prosecution under Section 19 of the Prevention of Corruption Act, 1988 [as amended vide the Prevention of Corruption (Amendment Act, 2018)]' and is aimed at bringing clarity about the same.

3.0 PRIOR SANCTION FOR PROSECUTION UNDER THE PREVENTION OF CORRUPTION ACT- 1988

3.1 On receipt of complaint or information about offences alleged to have been committed by public servants, punishable under the Prevention of Corruption (PC) Act -1988 [as amended by The Prevention of Corruption (Amendment) Act, 2018 w.e.f. 26.07.2018 and The Jammu and Kashmir Reorganisation Act, 2019 w.e.f. 31.10.2019], Delhi Special Police Establishment (DSPE), commonly known as Central Bureau of Investigation (CBI), may register a First Information Report (FIR) and conduct investigation into such allegations.

3.2 Section 19 of the Prevention of Corruption Act, 1988 lays down that no court shall take cognizance of an offence punishable under Sections 7,11,13 and 15 of the Prevention of Corruption Act, 1988, alleged to have been committed by a public servant, except with the previous sanction of the Competent Authority (CA) [1].

[1] **Competent Authority is defined under clause (a) (b) and (c) of subsection (1) of Section 19 of PC Act, 1988.**

3.3 Since the amendment in 2018, prior sanction of the CA is required under the provisions of the PC Act, 1988, in respect of those public servants also, who have retired, superannuated or have ceased to be in the service of the organisation concerned.

3.4 As per Section 19 (2) of the PC Act, 1988, in case of doubt about the authority competent to grant sanction for prosecution, "such sanction shall be given by that Government or authority which would have been competent to remove the public servant from his office at the time when the offence was alleged to have been committed".

4.0 GUIDELINES FOR THE COMPETENT AUTHORITY FOR SANCTION FOR PROSECUTION UNDER SECTION 19 OF PC ACT-1988

4.1 As per proviso to Section 19 (1) of the PC Act-1988, on receipt of a request from CBI for granting sanction for criminal prosecution, the CA shall endeavour to convey the decision on such a proposal, within a period of three months from the date of receipt of the proposal. Wherever legal consultation is required, the period may be extended by one more month, with reasons to be recorded in writing.

4.2 Sometimes, there is a delay on the part of the CA in taking decision for grant or denial of sanction for prosecution. Such a delay may be partly attributable to lack of appreciation of what the CA is required to do, while considering the request for sanction for prosecution. The Hon'ble Supreme Court of India in its various decisions[1] has laid down guidelines to be followed by the CA while considering the request for sanction for prosecution. The guidelines / directions of Hon'ble Supreme Court are summarised below:

(i) Sanction for prosecution is an administrative act. The purpose is to protect the public servant from harassment by frivolous or vexatious prosecution and not to shield the corrupt. The question of giving opportunity to the public servant at that stage does not arise. The CA has only to see whether the facts would prima-facie constitute the offence.

(ii) On some occasions, the accused person may file representation before the CA. In such cases, CA cannot embark upon an inquiry to judge the truth of the allegations by asking the Investigating Officer to offer his comments or

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[1] (i) Jagjit Singh Vs. State of Punjab, 1999 Cr. LJ. 2962.
(ii) State of Bihar Vs. P.P. Sharma, AIR 1991 SC 1260.
(iii) Superintendent of Police (CBI) Vs. Deepak Chowdhary, AIR 1996 SC 186.
(iv) Vineet Narain Vs. Union of India, AIR 1998 SC 889.

to further investigate the matter in the light of representation made by the accused person. Also, the CA cannot hold a parallel investigation / enquiry by calling for the record / report of his organisation.

(iii) When an offence alleged to have been committed under the PC Act- 1988 has been investigated by CBI, the report of the Investigating Officer is invariably scrutinised by senior officers of CBI. The matter is further scrutinised by the Law Officer(s) concerned in CBI. After the matter has been investigated by such a specialised agency and the report has been scrutinised so many times at such high levels, there will hardly be any case where the CA would find it difficult to disagree with the request for sanction.

(iv) The accused person has the liberty to file representations when the matter is pending investigation. When the representations so made have already been considered and the comments of the Investigating Officer are already before the CA, there is no need for further comments of Investigating Officer on any further representation.

(v) A representation subsequent to completion of the investigation, is not known to law, as the law is well established that the material to be considered by the CA is the material which was collected during investigation and was placed before the CA.

(vi) However, if in any case, the CA, after consideration of the entire material placed before it, entertains any doubt on any point, the CA may specify the doubt with sufficient particulars and may request the authority who has sought sanction, to clear the doubt. However, it would be only to clear the doubt in order that the CA may apply its mind properly, and not for the purpose of considering the representation(s) of the accused. Such representation(s) from the accused, may be filed while the request for sanction for prosecution is pending with the CA.

(vii) If the CA seeks the comments of the Investigating Officer, while the request for sanction for prosecution is pending before it, it will almost be impossible for the CA to adhere to the time limit prescribed for considering request for grant for sanction for prosecution.

4.3 The Hon'ble Supreme Court in its judgment dated 31.01.2012[1], has also observed that the guidelines, as quoted in Para 4.2 above, are in conformity with the law laid down by the Apex Court. The Hon'ble Supreme Court also observed that "*while considering the issue regarding grant or refusal of sanction, the only thing which the Competent Authority is required to see is whether the material placed by the complainant or the Investigating Agency prima-facie discloses commission of an offence. The Competent Authority cannot undertake a detailed inquiry to decide whether the allegations made against the public servant are true.*"

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[1] **Dr. Subramanian Swamy Vs. Dr. Manmohan Singh & another (Civil Appeal No. 1193 of 2012)**

4.4 The Hon'ble Supreme Court of India in its judgement dated 31.10.2013[1], observed that "*there is an obligation on the sanctioning authority to discharge its duty to give or withhold sanction only after having full knowledge of the material facts of the case. Grant of sanction is not a mere formality. Therefore, the provisions in regard to the sanction must be observed with complete strictness keeping in mind the public interest and the protection available to the accused against whom the sanction is sought. Sanction lifts the bar for prosecution. Therefore, it is not an acrimonious exercise but a solemn and sacrosanct act which affords protection to the Government servant against frivolous prosecution. Further, it is a weapon to discourage vexatious prosecution and is a safeguard for the innocent, though not a shield for the guilty*".

4.5 The Hon'ble Supreme Court of India in Para 8 of its judgment quoted in Para 4.4 above, has issued further guidelines / directions to be followed by the CA while considering request for sanction for prosecution. The same are stated as below:-

(i) The prosecution must send the entire relevant record to the CA including the FIR, disclosure statements, statements of witnesses, recovery memos, draft charge-sheet, and all other relevant material. The record so sent should also contain the material / document, if any, which may tilt the balance in favour of the accused and on the basis of which, the CA may refuse sanction.

(ii) The CA itself has to do complete and conscious scrutiny of the whole records so produced by the prosecution, independently applying its mind and taking into consideration all the relevant facts before grant of sanction while discharging its duty to grant or deny prosecution sanction.

(iii) The power to grant sanction for prosecution is to be exercised strictly keeping in mind the public interest and the protection available to the accused against whom the sanction is sought.

(iv) The order of sanction should make it evident that the CA had been aware of all relevant facts / materials and had applied its mind to all the relevant material.

(v) In each individual case, the prosecution has to establish and satisfy the court by leading evidence that all the relevant facts had been placed before the CA and it had applied its mind on the same and that the sanction had been granted in accordance with law.

4.6 While considering and deciding requests for sanction for prosecution, CA is required to comply with the above guidelines of the Hon'ble Supreme Court of India.

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[1] **CBI Vs. Ashok Kumar Aggarwal (Criminal Appeal No. 1838 of 2013)**

4.7 It may also be noted that the Department of Personnel & Training (DoPT) vide their Office Memorandum (OM) dated 18.10.2024[1] have issued guidelines for processing of requests for sanction for prosecution under Section 19 of PC Act-1988. The same are also to be kept in view by the authorities concerned while considering proposals received from CBI.

5.0 CASES REQUIRING ADVICE OF THE CENTRAL VIGILANCE COMMISSION FOR GRANT OF SANCTION FOR PROSECUTION

5.1 The Commission, under the provisions contained in Section 8 (1) (f) and (g) of CVC Act-2003 is mandated to review the progress of applications pending with the competent authorities for sanction of prosecution under the PC Act, 1988 and to tender advice to the Central Government, corporation established by or under any Central Act, Government companies, societies and local authorities owned or controlled by the Central Government on such matters as may be referred to it by that Government, said Government companies, societies and local authorities owned or controlled by the Central Government or otherwise.

5.2 DoPT, vide their OM dated 01.03.2019[2] has issued guidelines about the categories of officials for whom the Commission is to be approached for advice by the CA, before taking a decision to either grant or deny the sanction for prosecution.

5.3 As per DoPT's aforementioned guidelines, in those cases where sanction for prosecution is required to be accorded in the name of the President, the Commission is to be approached for advice by the organisation / authority concerned. A decision to grant or deny the sanction for prosecution would be taken after considering the advice of the Commission.

5.4 In those cases, where the authority competent to grant sanction for prosecution is other than the President, the Commission is to be approached for advice, if that authority does not propose to accord prosecution sanction, as sought by CBI. Further action by the CA would be taken after considering the advice of the Commission.

5.5 In case the CA (whether President or other than the President), does not propose to accept the advice tendered by the Commission for grant or denial of sanction of prosecution, the matter is to be referred to DoPT for their consideration.

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[1]DoPT's OM No. 428/10/2021-AVD-IV(B) dated 18.10.2024 on the subject "Checking delays in grant of sanction for prosecution in respect of a public servant under Section 19 of the Prevention of Corruption Act 1988 as amended in 2018", refers, which may have been amended from time to time.

[2]DoPT's OM No.372/6/2017-AVD-III dated 01.03.2019 on the subject "Guidelines for dealing with disagreement between Disciplinary Authority and Central Vigilance Commission in cases for granting sanction for prosecution", refers, as may be amended from time to time.

5.6 In case, more than one official belonging to different organisations or under the control of different CAs are involved in a case where sanction for prosecution is sought by CBI against them, the procedure as stated in para 5.3 to 5.5 is to be followed by the respective CA in respect of each individual official.

5.7 The CA shall endeavour to formulate its tentative views on the request from CBI for sanction for prosecution and approach the Commission for advice, within three weeks of such a request. In case, the views of the CA are not received within three weeks' time, the Commission may tender advice, on the basis of CBI's investigation report and records / documents, as available with it.

5.8 It is noted in certain cases that the CA formally declines the sanction for prosecution and then refers the matter to the Commission for advice. Once the CA takes a decision and communicates it to the CBI, the matter of grant of sanction for prosecution cannot be reviewed. It may be noted that the Commission / DoPT are to be approached for advice in accordance with the procedure mentioned in Paras 5.2 to 5.6 above, before a final decision is taken by the CA on CBI's request for grant of sanction for prosecution. Hence, the guidelines as contained in DoPT's OM dated 01.03.2019[1], as stated in Para 5.2 above, should be observed in letter and spirit.

5.9 It may be noted that the Commission, as an integrity institution which has been established for the purposes of inquiring into the commission of offences under the PC Act-1988 by a certain category of public servants and for matters incidental thereto, has no role in the prosecution of offences under the Prevention of Money Laundering Act (PMLA)-2002. Hence, the opinion or advice of the Commission is not necessary while considering the issue of according sanction under Section 218 of Bhartiya Nagrik Suraksha Sanhita-2023 (earlier Section 197 of Code of Criminal Procedure-1973) for prosecuting an offence under the PMLA-2002.

5.10 After the advice of the Commission, the CA concerned sometimes sends the matter either to their administrative ministry or DoPT for final decision, without intimation to the Commission or CBI. In order to keep the Commission and CBI informed of the stage at which the case is pending, the CA is required to mark a copy of their communications with DoPT / administrative ministry, to the Commission and CBI.

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[1]DoPT's OM No.372/6/2017-AVD-III dated 01.03.2019 on the subject "Guidelines for dealing with disagreement between Disciplinary Authority and Central Vigilance Commission in cases for granting sanction for prosecution", refers, as may be amended from time to time.

ACRONYM / ABBREVIATION

Acronym	Full Form
CA	Competent Authority
CBI	Central Bureau of Investigation
CVO	Chief Vigilance Officer
DOPT	Department of Personnel & Training
DSPE	Delhi Special Police Establishment
FIR	First Information Report
IO	Investigating Officer
OM	Office Memorandum
PC Act	Prevention of Corruption Act
PMLA	Prevention of Money Laundering Act

सत्यमेव जयते

Master Circular No. : 06/MC/2026

MASTER CIRCULAR
ON
PROCEDURE FOR OBTAINING AND IMPLEMENTING THE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-6

दिनांक / Dated 27.07.2026

Master Circular No. : 06/MC/2026

Subject: Master Circular on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for obtaining and implementing the advice of the Commission.

2. The Commission, in order to ensure ease of reference about the procedure for obtaining and implementing the advice of the Commission, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on the above mentioned subject. The same have been compiled in the form of Master Circular No 06/MC/2026 titled **'Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Procedure for Obtaining and Implementing the Advice of the Central Vigilance Commission

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Procedure for Obtaining and Implementing the Advice of the Central Vigilance Commission'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding Obtaining and Implementing the Advice of the Central Vigilance Commission and is aimed at bringing clarity about the same.

3.0 JURISDICTION OF THE CENTRAL VIGILANCE COMMISSION

3.1 In accordance with the provisions contained under Section 8 (1) (g) of CVC Act-2003, the Commission tenders advice to the Central Government, corporations established by or under any Central Act, Government companies, societies and local authorities owned or controlled by the Central Government on such matters as may be referred to it by that Government, said Government companies, societies and local authorities owned or controlled by the Central Government or otherwise.

3.2 Advice of the Commission is required to be obtained in respect of the organisations and officials, covered under its jurisdiction, as given in the following table:-

S. No	Department / Organisation	Category of Officials
1.	Ministries and Departments of the Central Government	i. Members of All India Services serving in connection with affairs of the Union ii. Group 'A' Officers
2.	Union Territories	Group 'A' Officers
3.	Central Public Sector Enterprises (Schedule 'A' and 'B')	Chief Executives and Executives on the Board and other officers of level of E-8 and above.

4.	Central Public Sector Enterprises (Schedule 'C' and 'D')	Chief Executives and Executives on the Board and other officers of level of E-7 and above.
5.	Public Sector Banks	Scale V and above
6.	Public Sector General Insurance Companies	Manager and above
7.	Life Insurance Corporation	Senior Divisional Manager and above
8.	RBI, NABARD, SIDBI	Officers in Grade D and above
9.	Societies / Local Authorities owned or controlled by the Central Government	Officers drawing salary of Rs. 8700/- p.m. and above on Central Govt. D.A. pattern as on the date of notification and may be revised from time to time)[1]
10.	Port Authorities / Dock Labour Board	Officers who are in pay of Rs. 10750/- and above (Rs. 3750/- and above pre-revised)

3.3 The Commission is to be consulted for advice at two stages of a case, that is for obtaining First Stage Advice (FSA) and Second Stage Advice (SSA).

4.0 FIRST STAGE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

4.1 The FSA of the Commission is to be obtained in respect of cases / officials as indicated in Paras 4.5 to 4.12 of this circular.

4.2 On completion of investigation in a case, the investigation report, along with the specific recommendations of the CVO in respect of each Suspected Public Servant (SPS) is required to be submitted for consideration of the Disciplinary Authority (DA). The Commission is to be approached for FSA by the CVO after obtaining tentative views / recommendations of the DA.

4.3 Before the case is forwarded to the Commission for obtaining FSA, the authority concerned in the organisation is required to go through all the document(s) / evidence(s) carefully, to come to a tentative view whether initiation of disciplinary proceedings are warranted against the SPS(s) or not. In case, initiation of disciplinary proceedings is being proposed at the time of referring the case to the Commission for its FSA, the documents as stated in Para 5.1 should also be forwarded to the Commission.

4.4 The CVO should also ensure that all documents/exhibits, constituting the basic evidence for the charge(s) mentioned in the draft charge-sheet, are

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[1] As per Department of Personnel & Training's Gazette Notification No. S.O. 1538(E) dated 12.09.2007

systematically identified and arranged. Superfluous and voluminous documents, not relevant to the misconduct / charge(s) under consideration, should be retained in the organisation. In case, any additional material / document is required by the Commission for detailed examination of a case, the same would be sought by it before tendering advice in that case.

4.5 A case in which the role of one or more official(s) covered under the jurisdiction of the Commission has been investigated, alongwith the role of official(s) outside the jurisdiction of the Commission, is to be considered as a 'composite case'. It may be noted that in a composite case, all the official(s), whether under the jurisdiction or outside the jurisdiction of the Commission, are to be considered under the jurisdiction of the Commission for that particular case, subject to the guidelines as stated in Para 4.6 (ii) and (iv) of this circular.

4.6 On receipt of a complaint / information by the CVO, the same may be taken up for investigation by him, after following due process. On completion of investigation, one of the following actions is required to be taken by the CVO:-

(i) If all / any of the officials against whom misconduct having vigilance angle is observed, are covered under the jurisdiction of the Commission, the case is required to be forwarded for obtaining FSA of the Commission.

(ii) In a composite case (as defined in Para 4.5 of this circular), if misconduct having vigilance angle is observed against the official(s) out side the jurisdiction of the Commission and administrative / procedural irregularities are observed against the official(s) covered under the jurisdiction of the Commission, the case is required to be forwarded for obtaining FSA of the Commission.

(iii) However, in a composite case if no vigilance angle is observed in respect of any official, whose roles have been investigated, the case would be brought to a logical conclusion by the DA concerned without referring the case to the Commission for advice or without involvement of the CVO.

(iv) In a composite case, if no irregularity / lapses are observed against the official(s) covered under the jurisdiction of the Commission, the case may be dealt with by the CVO / authorities concerned in the organisation in accordance with the guidelines as contained in Paras 4.7 to 4.9 of this circular, even if vigilance angle is observed in respect misconduct noticed on the part of official(s) outside the jurisdiction of the Commission.

(v) If all the officials whose role has been investigated are outside the jurisdiction of the Commission and no vigilance angle is observed, in respect of

irregularities taken up for investigation, that case would be brought to a logical conclusion by the DA concerned, without further involvement of the CVO.

4.7 In a case investigated by the CVO, if all the official(s) whose role has been investigated, are outside the jurisdiction of the Commission, the investigation report, along with the recommendation of the CVO (regarding existence or absence of vigilance angle and / or further action, if required) is required to be forwarded to the DA concerned. In case the CVO and the DA both agree to the existence of vigilance angle in respect of the misconduct noticed on the part of individual official(s), further action would be taken by the DA concerned, in consultation with the CVO.

4.8 However, in case of difference of opinion between the CVO and the DA regarding the presence of vigilance angle in a case, where all the officials involved are outside the jurisdiction of the Commission, the case along with the investigation report and other relevant records / documents should be forwarded to the Commission for obtaining its FSA.

4.9 There may be a case where the official(s) involved are outside the jurisdiction of the Commission and existence of vigilance angle is agreed to by the CVO and the DA concerned, but there is disagreement between them regarding the type of disciplinary action to be initiated against the SPS(s). In such circumstances, the matter should be placed before the Chief Executive, to resolve the difference of opinion. In case the difference of opinion still persists, the matter should be referred to the Commission for obtaining its FSA.

4.10 On occasions, a misconduct is observed on the part of an official, after his retirement / superannuation or after he has ceased to be in the service of that organisation It is clarified that the advice of the Commission is required to be obtained in respect of such officials also, if they are covered under the categories as mentioned in Paras 3.2, 4.5, 4.6, 4.8 and 4.9.

4.11 It may also be noted that whenever the Commission forwards a complaint to the CVO / organisation concerned for Investigation and Report (I&R), the CVO / organisation concerned is required to complete investigation within 03 months from the date of receipt of reference from the Commission or within such time as may be specified by the Commission. In respect of such a complaint, the CVO / organisation concerned is required to forward the investigation report to the Commission for obtaining its FSA, irrespective of the outcome of the investigation or the level of the official(s) found involved in that case. Further action is to be taken only after receipt of the FSA of the Commission.

4.12 In respect of a complaint forwarded by the Commission for Necessary Action to the CVO / organisation concerned, in case the same is taken up for investigation by the CVO, further action is required to be taken as per guidelines contained in Paras 4.5 to 4.10 of this circular.

5.0 PROCEDURE AND DOCUMENTS REQUIRED FOR OBTAINING FIRST STAGE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

5.1 In order to ensure proper appreciation of all the facts and for a comprehensive examination of the case in the Commission, the case being referred to the Commission for obtaining its FSA, should contain a proper analysis of misconduct, all relevant evidence(s) / document(s) and specific recommendations of the CVO and Competent Authority (CA) about the proposed line of action. All the relevant documents also need to be properly highlighted to avoid unnecessary correspondence and resultant delay. In order to ensure uniformity in the manner in which the case is to be referred to the Commission for obtaining its FSA, the following documents should invariably be forwarded to it:-

(i) Vigilance report in the prescribed format as enclosed as **Annexure I**.

(ii) Assurance Memo, signed by CVO, in the prescribed format as enclosed as **Annexure II**

(iii) Biodata of SPS(s) figuring in the report, in the prescribed format as enclosed as **Annexure III**

(iv) Tabular statements, in the prescribed format, as enclosed as **Annexure IV**

(v) Draft charge-sheet and statement of imputation of charges in respect of SPS(s), in case initiation of disciplinary action is being proposed.

5.2 It is clarified that perusal of draft charge - sheet by the Commission is intended only to see that all the lapses are reflected in the charge - sheet. Perusal of charge-sheet by the Commission is not to be construed as vetting of draft charge-sheet by it.

5.3 It is also to be noted that many a times the case fails because of deficiencies in the charge-sheet. Sometimes, the charges are framed without specifying the misconduct in the article of charge, although the same are stated in the statement of imputation. It is important that each article of charge is framed meticulously as no charge is left incomplete without including therein, elements of the main content of the allegations / imputations.

5.4 It is also to be noted that the courts have struck down charge-sheets on account of the charges framed being general or vague[1]. Moreover, if the charge is that the employee acted out of an ulterior motive, that motive must be specified in the charge sheet[2]. Also, while drawing a charge - sheet, special care should be taken to ensure that the guilt of the Charged Officer (CO) is not pre-judged or pronounced upon in categorical terms, in advance[3]. However, the statement merely of a hypothetical or tentative conclusion of guilt in the charge will not vitiate the charge-sheet[4].

5.5 It may be noted that the position indicated in Para 5.3 and 5.4 above is only for guidance of the authority. The responsibility of framing and serving a legally tenable / proper charge - sheet to the delinquent official rests with the DA concerned.

6.0 RECONSIDERATION OF FIRST STAGE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

6.1 The Commission tenders FSA based on information / documents / records etc. provided by the organisation / authorities concerned and perceived seriousness of the misconduct observed or otherwise. In such a case, there is hardly any scope for reconsideration of the FSA tendered by the Commission.

6.2 However, on a few occasions, the authority concerned may propose to take a view other than the FSA of the Commission, based on new / additional material or facts, which were not considered earlier and may have come to light at a later stage. Such material or facts may have the effect of altering the seriousness of the lapses. In such a scenario, a reference to the Commission may be made requesting for reconsideration of its FSA.

6.3 The new facts stated by the organisation should be substantiated by adequate evidence(s) and it should also be explained as to why the fact(s) were not considered / brought to the notice of the Commission earlier, while approaching the Commission for its FSA.

6.4 A proposal for reconsideration of the FSA of the Commission, if not accompanied with due examination of the new / additional material or facts, is liable to be summarily rejected by the Commission.

6.5 It has been observed that in a few cases, the CA 'decides' to deviate from the advice of the Commission and thereafter approaches the Commission for reconsideration of its advice. It may be noted that such a case, where the CA has already

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[1] **Supreme Court Judgement in the case of Sawai Singh Vs. State of Rajasthan 1986, refers.**
[2] **Judgement of Allahabad High Court in Uttar Pradesh Vs. Salig Ram AIR 1960 All 543, refers.**
[3] **Judgemnt of Calcutta High Court in Meena Jahan Vs. Deputy Director, Tourism 1974 2SLR 466 Cal, refers.**
[4] **Judgement of Orissa High Court in Dinabandhu Rath Vs. State of Orissa AIR 1960 Orissa 26 cf and by Supreme Court of India in Powari Tea Estate Vs. Barkataki (M.K.) 1965 Lab LJ 102, refers.**

as a case of reconsideration of its advice. Such a case would be treated as a case of 'deviation' from the advice of the Commission. Therefore, the CA should approach the Commission for reconsideration of its FSA, before taking a final decision.

6.6 A proposal to the Commission for reconsideration of its FSA should be made only once, within two months of receipt of the FSA of the Commission and with the prior approval of DA or Head of the Department or Chief Executive of the organisation.

7.0 SIMULTANEOUS CRIMINAL PROCEEDINGS (PROSECUTION) AND DISCIPLINARY PROCEEDINGS

7.1 As per various judgements of the Hon'ble Supreme Court of India, there is no legal bar in conducting simultaneous criminal and departmental proceedings against the delinquent official(s).

7.2 The Hon'ble Supreme Court of India in one of its judgements[1] has referred to the need for simultaneous initiation of departmental proceedings by stating that:
"*It must be remembered that interests of administration demand that the undesirable elements are thrown out and any charge of misdemeanour is enquired into promptly. The disciplinary proceedings are meant not really to punish the guilty but to keep the administrative machinery unsullied by getting rid of bad elements. The interest of the delinquent officer also lies in a prompt conclusion of the disciplinary proceedings. If he is not guilty of the charges, his honour should be vindicated at the earliest possible moment and if he is guilty, he should be dealt with promptly according to law. It is not also in the interest of administration that persons accused of serious misdemeanour should be continued in office indefinitely, i.e., for long periods awaiting the result of criminal proceedings.*"

7.3 Thus, in a case where it is considered appropriate to initiate disciplinary proceedings along with criminal prosecution, the disciplinary proceedings can be initiated simultaneously. In this regard attention is drawn to detailed guidelines issued by Department of Personnel and Training (DoPT) vide their Office Memorandum (OM) dated 29.11.2022[2] .

7.4 In such a case, before initiation of disciplinary proceedings, the Commission should also be approached for obtaining its FSA, in respect of officials as specified in Para 3.2 of this circular. The advice of the Commission would also be required in respect of cases as mentioned in Paras 4.5 to 4.10 of this circular, subject to certain exemptions, as given in these paras

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[1]Supreme Court's judgement in the case of State of Rajasthan vs. B.K Meena & Ors. (1996) 6 SCC 417, refers.

[2]DoPT's OM No. 669703753924 dated 29.11.2022 on the subject "Simultaneous action of prosecution and initiation of departmental proceedings" refers, which may have been amended from time to time.

8.0 SECOND STAGE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

8.1 Earlier, SSA of the Commission was required in respect of all official(s) against whom FSA of the Commission was tendered. In order to ensure expeditious finalisation of disciplinary proceedings, the Commission has decided that its SSA is not required to be obtained in those cases where the CA, after conclusion of the departmental inquiry / consideration of statement of defence submitted by the CO, proposes to impose a penalty which is in line with the FSA of the Commission.

8.2 It may be noted that presently, a case is to be referred to the Commission for obtaining its SSA, if the CA proposes to issue final order(s), which is at variance with the FSA of the Commission. A reference for SSA of the Commission should be made before a final decision is taken by the CA.

8.3 The Commission expects that in cases where its SSA is not required to be obtained, such cases are to be dealt with by the CA concerned in consultation with the CVO of the organisation. The CVO would exercise proper check and would monitor such cases to ensure that they are disposed off expeditiously within the time limit and guidelines, as advised in 'Master Circular No. 08/MC/2026 on Timely Initiation and Finalisation of Disciplinary Action'. In all such cases, where the final orders issued are in accordance with the FSA of the Commission, copy of such orders are required to be forwarded to the Commission mandatorily, within 15 days of issue of the final order, for its perusal and record.

8.4 The Commission, taking cognizance of DoPT's OM dated 26.09.2011[1], has decided that as a policy, advice of either Union Public Service Commission (UPSC) or of the Central Vigilance Commission may be obtained. Therefore, in those cases involving categories of officials where orders for imposing penalty are to be issued in the name of the President and UPSC is required to be consulted as per extant rules, the Central Vigilance Commission need not be approached for obtaining its SSA. In all such cases, the authorities concerned should approach UPSC for advice and take further action accordingly.

8.5 It is clarified that in those cases where final orders are to be issued in the name of the President and the CA proposes to exonerate the CO / drop the charges against him and advice of UPSC is not required, the Central Vigilance Commission is to be approached for obtaining its SSA, by the authorities concerned.

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[1]**DoPT's OM No.372/19/2011-AVD-III (Pt.) dated 26.09.2011 on the subject "Permission to initiate investigation by the CBI in respect of officers of the rank of Joint Secretary and above serving the Central Government - Provisions of section 6A of the Delhi Special Police Establishment (DSPE) Act, 1946 – recommendations of the Group of Ministers", refers, which may have been amended from time to time.**

8.6 It may also be noted that the procedure as prescribed in Paras 8.1 to 8.5 of this circular shall also be applicable in respect of officials outside the jurisdiction of the Commission, in case FSA of the Commission was obtained against them, being involved in a composite case or otherwise.

8.7 In order to ensure proper appreciation of facts and thorough examination of case(s) referred to the Commission for obtaining its SSA, it is important that complete information, along with relevant documents, is forwarded to the Commission. While approaching the Commission for obtaining its SSA, the CVO / authority concerned should ensure that the following records / documents are also forwarded:–

(i) Biodata of CO(s), in the prescribed format as enclosed as **Annexure-III**

(ii) CVO's report for SSA as enclosed as **Annexure-V**

(iii) A copy of the charge - sheet issued to the CO;

(iv) A copy of the inquiry report submitted by the Inquiry Officer (IO), along with a spare copy for the record of the Commission;

(v) The entire case records of the inquiry, i.e. copies of depositions and exhibits, daily order sheet folder, folder containing copies of written brief of the Presenting Officer (PO) and the defence of the CO;

(vi) Comments and specific recommendations of the DA and the CVO on the findings of IO.

(vii) Tabular statement in the prescribed format, as enclosed as **Annexure- VI**.

9.0 RECONSIDERATION OF SECOND STAGE ADVICE OF THE CENTRAL VIGILANCE COMMISSION

9.1 The SSA of the Commission is tendered based on inputs received from the organisation which includes all material / information pertaining to the individual disciplinary case. In such a case, no new material / additional facts are likely to emerge after the Commission has tendered its SSA, leaving little scope for reconsideration of SSA of the Commission. Hence, the Commission does not entertain any proposal for reconsideration of its SSA.

9.2 The authorities concerned are, therefore, required not to approach the Commission for reconsideration of its SSA and should issue final orders within one month from the date of receipt of SSA of the Commission.

10. PROCEDURE FOR DEALING WITH CASES OF OFFICIALS, CONVICTED BY COURT OF LAW

It may be noted that consultation with the Commission is not required in cases where the official concerned has been convicted by a Court of Law on a criminal charge and action has been initiated against the official concerned, under Rule 19 (i) of Central

Civil Services (Classification, Control and Appeal) Rules, 1965 or under similar service rules, as may be applicable. In this regard, attention is drawn to DoPT's OM dated 08.04.2005[1] on the subject.

11.0 TIME LIMIT FOR SUBMITTING FURTHER INFORMATION / CLARIFICATION AS SOUGHT BY THE CENTRAL VIGILANCE COMMISSION

11.1 During the course of examination of a case / records received from the CVO / authorities concerned, the information / records forwarded to the Commission may be found to be incomplete or lacking in clarity. In such a case, the Commission may ask for clarification / additional information, before taking a considered view.

11.2 In order to ensure timely action, the CVO / Authority concerned is required to provide the information /clarification,as may be sought by the Commission, within 30 days of the receipt of the communication or within the period as may be specified by the Commission. In case it is not possible to provide the desired information / clarification within the specified time period, the CVO / authority concerned, should approach the Commission for seeking extension of time. The reasons for seeking extra time for providing information / clarification and the time period within which the information / clarification would be submitted to the Commission should also be specifically mentioned in the communication being sent to the Commission for this purpose.

12.0 REFERENCE TO THE CENTRAL VIGILANCE COMMISSION FOR OBTAINING ITS ADVICE IN RESPECT OF OFFCIAL(S) DUE FOR RETIREMENT

12.1 The vigilance functionaries as well as administrative authorities concerned should prioritise conducting of investigation and initiating disciplinary action in respect of official(s) due for retirement / superannuation in near future, so as to avoid late reference to the Commission for obtaining its advice in these cases. All such retirement cases should be forwarded to the Commission for obtaining its advice in such a manner that the cases are received in the Commission at least 30 days before the date of retirement of the SPS.

12.2 It should be ensured that the proforma prescribed for providing biodata of the SPS / CO should be duly filled in, especially the column of date of birth / retirement. Whether an SPS / CO is in service or has retired is a crucial point for appreciating the case and for enabling the Commission to tender its advice.

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[1]DoPT's OM No. 118/112005-AVD.III dated 08.04.2005 on the subject "Consultation with the Central Vigilance Commission in cases where action taken under Rule 19 (i) of the CCS(CCA) Rules, 1965", refers which may have been amended from time to time.

13.0 MONITORING OF DISCIPLINARY CASES AND ACCOUNTABILITY FOR DELAY IN SUCH CASES

13.1 The responsibility of taking timely action in a disciplinary case, including implementation of the advice tendered by the Commission, rests with the administrative authority concerned. Any undue delay may even lead to eventual dropping of the proceedings. Therefore, in case of any delay beyond the advised time limit in implementation of the advice of the Commission, the administrative authority is required to give reasons for such a delay. In case the reasons for delay are found to be unacceptable, appropriate action may also be recommended / advised against the official(s) responsible for the delay. In this regard, attention is also drawn to DoPT's OM dated 16.02.2004[1], on the subject.

13.2 It may also be noted that as per DoPT's OM dated 29.11.2012[2] relating to monitoring and expeditious disposal of disciplinary proceedings, CVOs have been given the responsibility of monitoring the timelines and ensuring adherence to the same.

14.0 SELF-CONTAINED SPEAKING AND REASONED ORDER TO BE ISSUED BY THE COMPETENT AUTHORITY

14.1 The disciplinary proceedings, if required, are initiated against the delinquent official(s) in accordance with the Conduct, Discipline and Appeal (CDA) Rules, as may be applicable to the official(s) concerned. On conclusion of the disciplinary proceedings, final orders are required to be issued by the CA i.e. DA / Appellate Authority (AA) / Revising Authority (RA). The disciplinary proceedings are quasi-judicial in nature and therefore, the orders issued by the CA should have the attributes of a judicial order. Hon'ble Supreme Court of India in its judgement dated 02.04.1970[3] observed that recording of reasons in support of a decision by a quasi-judicial authority is obligatory. The Hon'ble Court also stated that the necessity to record reasons is greater if the order is subject to appeal. Therefore, the orders issued by the CA should clearly state the reasons, based on which the CA arrived at the decision, which was being communicated to the delinquent official. If, no logical reasons are expressly stated in the orders of the CA, that order may be challenged in a court / tribunal etc. and may be held invalid. In this regard attention is drawn to Department of Personnel & Administrative Reforms (DP&AR's) OM dated 13.07.1981[4] .

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[1] DoPT's OM No.11013/2/2004-Estt.(A) dated 16.02.2004, on the subject 'Accountability for delay in decision making', refers, which may have been amended from time to time.

[2]DoPT's OM No. 425/04/2012-AVD-IV(A) dated 29.11.2012 on the subject 'Guidelines for monitoring and expeditious disposal of the disciplinary proceeding cases' , refers, which may have been amended from time to time.

[3] Supreme Court's judgement dated 02.04.1970 in the case of 'Mahavir Prasad Vs. State of UP (AIR 1970 SC 1302)', refers.

[4] DP&AR's OM No. 134/1/81-AVD-1 dated 13.07.1981 on the subject of 'Disciplinary cases need for issuing speaking orders by competent authorities', refers, which may have been amended from time to time.

14.2 It is also a well-settled law that the CA is required to apply its mind independently, to the facts and circumstances of the case and then arrive at a conclusion, even though consultation with the Commission and / or other organisation may have been held. A mere endorsement of the advice / recommendations of any organisation / authority without independent application of mind by the CA, in the orders being issued by it, may lead to such orders being challenged in a court / tribunal etc. Therefore, it is to be ensured by the CA that the orders issued by it are self-contained, speaking and reasoned, indicating independent application of mind and that the orders conform to legal requirements.

14.3 It is to be kept in view that the Commission tenders advice to the authority concerned, and the CA is required to take a reasoned decision after independent application of mind. The CA in the final orders being issued by it, should clearly state that the Commission has been consulted and final orders are being issued after independent application of mind. It may also be noted that in the speaking orders being issued by the CA, the advice of the Commission should not be quoted verbatim. In those cases, where the CA's decision is at variance with the advice of the Commission or the CVO or the findings of the Departmental Inquiry Officer, it is all the more necessary that the final orders being issued, reflect independent application of mind.

14.4 Further, it may be noted that in the final orders being issued by the CA, the name and designation of the CA should be necessarily and clearly mentioned.

15.0 DEVIATION FROM THE ADVICE TENDERED BY THE CENTRAL VIGILANCE COMMISSION

15.1 There may be instances when the CA contemplates not to accept the advice of the Commission, in respect of official(s) for whom the Appointing Authority is the President. In such cases, the CA is required to consult DoPT, before taking a final decision which is not in accordance with the advice of the Commission. In this regard attention is drawn to DoPT's O.M. dated 28.09.1978 and O.M. dated 02.09.2019[1]. In case, the final decision of the CA, after consultation with DoPT, is not in accordance with the advice of the Commission, such a case would be considered as a case of deviation from the advice of the Commission.

15.2 It has been observed that there are occasions when, after imposition of penalty by the DA, in accordance with the advice of the Commission, the CO prefers an appeal before the Appellate Authority (AA) / Revising Authority (RA) or the RA may take up such cases for revision, on its own motion. In such matters, the AA / RA concerned

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[1] DoPT's OM No. 118/2/78-AVD(1) dated 28.09.1978 on the subject 'Central Vigilance Commission – cases of difference from / non-acceptance of the advice of – Procedure for consultation with the Department of Personnel and A.R.' refers, which has been reiterated vide DoPT's OM No. 119/2/2019-AVD-III dated 02.09.2019.

should obtain the comments of the CVO before taking a decision at appeal / revision stage. Those cases, where the AA / RA takes a final decision / issues final orders which are not in accordance with the advice of the Commission, would be considered as cases of deviation from its advice, except those cases where a final decision has been taken after obtaining the advice of UPSC.

15.3 The CVO of the organisation is required to immediately report to the Commission, all individual cases of deviation from the advice of the Commission. In addition, such cases of deviation from the advice of the Commission are also to be reported by the CVO in the relevant column of online Quarterly Performance Report (QPR) being submitted to the Commission.

15.4 All such cases of deviation from the advice of the Commission (in respect of officials for whom the Appointing Authority is other than the President), which are not to be referred to DoPT for consultation, are also to be reported by the CVO of the ministry / department concerned to the Secretary of that ministry / department.

15.5 In respect of organisations, other than the ministry / department, all cases of deviation from the advice of the Commission, in respect of officials for whom the Appointing Authority is other than the President, shall be reported to the CVO of the administrative ministry / department, through the Chief Executive of the organisation, by the CVO of that organisation. The CVO of the administrative ministry / department shall put up all such cases to the Secretary of that administrative ministry / department. The reporting of these cases of deviation from the advice of the Commission to the Secretary of the administrative ministry / department, should be done within a period of two months from the date of issue of orders by the CA. A confirmation in this regard is also required to be sent to the Commission by the CVO of the administrative ministry / department. In addition, such cases should also be reported to the Board of Directors by the CVO of the organisation concerned.

15.6 The procedure for reporting of cases of deviation from the advice of the Commission as mentioned in Para 15.2 of this circular, shall continue. The procedure as stated in Paras 15.3 to 15.5 of this circular, is in addition to the procedure as mentioned in Para 15.2.

16.0 ACCEPTANCE OF RESIGNATION IN CASES WHERE ADVICE OF THE CENTRAL VIGILANCE COMMISSION WAS OBTAINED

It may be noted that in case an official against whom inquiry / investigation is pending, submits his resignation, such resignation should not normally be accepted, irrespective of the fact whether the official concerned has been placed under suspension or not. In case it is considered necessary in public interest, to accept resignation of the official concerned, a decision on such request for acceptance of resignation should be taken only after obtaining prior vigilance clearance from the authority competent to

accord such clearance. In respect of the official against whom the Commission had advised initiation of departmental action, concurrence of the Commission is also required to be obtained before submission of the case to the authority competent to accept resignation of that official. In this regard, attention is drawn to DoPT's OM dated 31.05.1994[1].

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[1]**DoPT's OM No. 28034/4/94 Estt (A) dated 31.05.1994 on the subject of 'Acceptance of resignation— Procedure in respect of', refers, which may have been amended from time to time.**

Annexure – I

Vigilance Report

Title of the report

1. Source

Background of the report – whether based on source information, complaint referred to by the CVC, CTE/CTE type inspection or direct enquiry.

2. Gist of allegations

3. Facts

The relevant facts relating to the issue under examination should be presented in chronological or activity-wise sequence. Each fact should be supported by documentary evidence (other forms of evidence may also be presented) denoted as E1, E2, and E3 etc. Since the facts occur in chronological order, the evidence E1, E2, E3, etc., should necessarily be arranged under the report in the same order, thus making it easier for reference. While annexing the evidence, the relevant portion of the document should be highlighted and annexed. For example, the evidence for educational qualifications for promotion should consist of the photocopy of only the clause prescribing the qualifications and not the whole documents, say, of 20 pages of the promotion policy. There may be several issues in a report which may be conveniently arranged as different paras viz. 2.1, 2.2 etc. All relevant facts needed to support the observations / conclusion should be gathered and presented. Irrelevant facts, bearing no consequence on the issues under inquiry should be avoided. Evidence presented should be credible and adequate.

4. Observations

Ordinarily, observations are logical deductions arrived at through a set of facts. They are in the nature of objections or anomalies observed with reference to the gathered facts. There may be several observations arising out of the analysis of facts. Observations are also arrived at by evaluating the facts against certain criteria viz. rules, regulations, policies, procedures, norms, good practices or normative principles. Evidence of these criteria (extracts of rules, procedures, etc.) should also be presented as E1, E2, etc.

5. Response of the officials concerned

It is necessary to elicit the reasons and clarifications of the management or the officers concerned for the anomalies pointed out in the observations. Every

deviation from rules or procedure cannot be attributed to a malafide / corrupt intent. There may be situations where it may be difficult to achieve the objectives of a task by strictly abiding by the rules. Rules may be circumvented, while expediting the work or in the larger interest of the work, with good intentions. It is, therefore, essential for Vigilance to distinguish between acts of omission and acts of commission. Therefore, obtaining the response of the officers concerned is essential in order to arrive at an objective conclusion. Response of the management is also necessary in order to clarify differences in interpretation or an understanding of the issues between vigilance and the management.

6. Counter to the response

In order to sustain the observations made by Vigilance, it is necessary to counter the defence given by the management / officers concerned with facts and supporting evidence. It should be clearly and convincingly brought out why the explanation given by the management is not tenable.

7. Conclusion

Conclusion is the logical summation of the observations. The observations denoting various counts of irregularity, lapses or impropriety should finally lead to a logical conclusion on whether the case involves commission of irregularity / impropriety with the intention of corruption. Undue favour given to a party or obtained for self and its adverse impact on the government or the citizens in terms of additional cost, poor quality or delayed service should be clearly highlighted.

8. Responsibility of officials

Having determined the vigilance angle in the case, the next step is to fix the accountability of the individuals involved in the misconduct. Name of officers should be clearly stated in this para. The role of each official should be judged with reference to his prescribed charter of duties. Comments of DA should invariably be included.

9. Recommendation for action

Recommendation for closure of the case in case there is no discernible vigilance angle or criminal misconduct, should be clearly spelt out. Bio-data of the officials reported against in the investigation report should be included in the given format.

10. Recommendation for systemic improvement

Punitive action on detection of corruption does not by itself lead to a logical conclusion unless it is able to prevent recurrence of the lapse. Any fraud, corruption, irregularity or impropriety indicates a failure of control mechanism or

gaps in systems and procedures. Therefore, each case throws up an opportunity to identify these control failures and suggest ways of plugging them to prevent recurrence of the lapse. Therefore, at the end of the report, the CVO should also try to recommend systemic improvements in order to prevent the risk of a recurrence of the lapse / misconduct.

Annexure – II

ASSURANCE MEMO

Organisation's File No. **Date:-**

This is to provide reasonable assurance to the Commission: (a) That all necessary facts and relevant evidence(s) have been gathered. (b) That all facts and supporting evidence(s)have been duly verified. (c) That contested evidence(s), if any, has been conclusively handled with reference to the facts at the disposal of this office.

Chief Vigilance Officer's signature
(Name & Designation to be mentioned)

Annexure – III

Format of Bio-Data

1. Name of the officer
2. Designation (a) At present (b) At the time of alleged misconduct
3. Service to which belongs (Cadre and year of allotment in case of officers of the organized /All India Services)
4. Date of birth
5. Date of superannuation
6. Level / group of the present post and pay scale
7. Date of suspension [if under suspension]
8. Disciplinary Rules applicable to the official
9. Involvement of official in previous complaints, if any, and results of investigations / inquiring authority
10. Brief particulars of similar cases, if any, in the organisation in which same or other official might have been involved, and action taken in the matter

Annexure – IV

Tabular Format for obtaining First Stage Advice of the Central Vigilance Commission

S. No	Name and designation of the suspected official	Allegations in brief	Version of the suspected official	Findings of inquiry / investigation on each allegation(s)	Comments / Recommendations of the CVO	Comments / Recommendation of the Disciplinary Authority

Annexure – V

Chief Vigilance Officer's Report for obtaining Second Stage Advice of the Central Vigilance Commission

1. Nature of misconduct, in brief [Like false TA claims exceeding delegated powers, supervisory lapses etc.].
2. Allegations / charges in detail [which were investigated/inquired] and results thereof.
3. Version of Charged Officer on established allegations/charges [Separately for each allegation / charge].
4. Reasons, why version of Charged Officer is not acceptable.
5. Misconduct imputed [Whether lack of integrity and / or devotion to duty] with relevant clauses of CDA Rules.
6. Recommendation of CVO and DA, on the findings of the investigating / inquiring authority.
7. Involvement of the official in previous complaints, if any, and results of investigations / inquiries.
8. Brief particulars of similar cases, if any, in the organisation in which same or other official might have been involved, and action taken in the matter.

Annexure-VI

Tabular Format for obtaining Second Stage Advice of the Central Vigilance Commission

Name and designation of the CO	Allegations in brief on each article of charge(s)	Defence statement /CO's brief	Findings of IO on each article of charge	Comments of CVO on IO's findings	Comments / recommendation of the DA, on IO's findings

ACRONYM / ABBREVIATION

Acronym	Full Form
AA	Appellate Authority
CA	Competent Authority
CDA Rules	Conduct, Discipline and Appeal Rules
CO	Charged Officer
CVO	Chief Vigilance Officer
DA	Disciplinary Authority
DOPT	Department of Personnel & Training
DP & ARs	Department of Personnel & Administrative Reforms
FSA	First Stage Advice
I&R	Investigation and Report
IO	Inquiry Officer
OM	Office Memorandum
PO	Presenting Officer
RA	Revising Authority
SPS	Suspected Public Servant
SSA	Second Stage Advice
UPSC	Union Public Service Commission
QPR	Quarterly Performance Report

सत्यमेव जयते

Master Circular No. : 07/MC/2026

MASTER CIRCULAR ON VIGILANCE ADMINISTRATION IN PUBLIC SECTOR BANKS, PUBLIC SECTOR INSURANCE COMPANIES AND PUBLIC SECTOR FINANCIAL INSTITUTIONS

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

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सं. / No. 024/VGL/017-7

दिनांक / Dated 27.07.2026

Master Circular No. : 07/MC/2026

Subject: Master Circular on Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial Institutions.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about vigilance administration in Public Sector Banks (PSBs), Public Sector Insurance Companies (PSICs) and Public Sector Financial Institutions (PSFIs).

2. The Commission, in order to ensure ease of reference about Vigilance Administration in PSBs, PSICs and PSFIs, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on the above mentioned subject. The same have been compiled in the form of Master Circular No 07/MC/2026 titled **'Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial Institutions'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial Institutions

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial Institutions'. This circular shall be applicable to all ministries, departments and organisations of the Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter referred to as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier Circulars / Guidelines / Office Orders / letters etc. issued by the Commission from time to time regarding Vigilance Administration in Public Sector Banks, Public Sector Insurance Companies and Public Sector Financial Institutions and is aimed at bringing clarity about the same.

3.0 VIGILANCE ANGLE IN PUBLIC SECTOR BANKS

3.1 There are certain misconduct on the part of an official, where existence of vigilance angle is obvious. Such misconduct include: -

(i) Demanding and / or accepting gratification other than legal remuneration in respect of an official act or for using his influence with any other official.

(ii) Obtaining valuable thing(s), without consideration or with inadequate consideration from a person with whom he has or likely to have official dealings or his subordinates have official dealings or where he can exert influence.

(iii) Obtaining for himself or for any other person, any valuable thing(s) or pecuniary advantage by corrupt or illegal means or by abusing his position as a public servant.

(iv) Possession of assets disproportionate to known sources of income.

(v) Cases of misappropriation, forgery or cheating or other similar criminal offences committed in discharge of official duties.

3.2 There are other irregularities where circumstances will have to be weighed carefully to take a view as to whether the official's integrity is in doubt. Irregularities like gross or willful negligence; recklessness in decision making; blatant violation of systems and procedures; exercise of discretion in excess where no ostensible public interest is evident; failure to keep the controlling authority / superiors informed of required transactions and issues in time; and / or any undue / unjustified delay in disposal of a case, would require the Competent Authority (CA), with the help of the CVO, to carefully study the case, consider all relevant factors and weigh the circumstances to come to a conclusion, as to whether there is reasonable ground to doubt the integrity of the official concerned.

3.3 In addition to the misconducts / irregularities as stated in Paras 3.1and 3.2 above, there are certain irregularities specific to Public Sector Banks (PSBs), which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Irregularities in opening of accounts leading to creation of fictitious accounts;

(ii) Irregularities in operation of accounts leading to fraudulent transactions;

(iii) Frequent instances of accommodation granted to a party / parties against norms;

(iv) Case (s) in which there is a reasonable ground to believe that criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(v) Misappropriation of the bank's assets;

(vi) Falsification of the bank's records;

(vii) Disclosure of secret or confidential information;

(viii) Making false claims on the bank;

(ix) Failure to take necessary action to protect the interest of the bank;

(x) Sacrificing / ignoring the interest of the bank and causing loss to the bank;

(xi) Violation of security / safety norms and guidelines issued by the bank;

(xii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xiii) Acting in a manner that violates or undermines the policies of the bank or acting against the decisions taken by the management;

(xiv) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines;

(xv) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the bank's interest.

3.4 The list of irregularities as indicated in Paras 3.1 to 3.3 above is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSB which may attract vigilance angle. Therefore, the authorities concerned, including the respective Disciplinary Authority (DA) and the CVO, should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1 to 3.3 above, before arriving at a conclusion regarding the presence or absence of vigilance angle, in that case.

3.5 It is to be kept in view that the purpose of vigilance activities is not to reduce, but to enhance the level of managerial efficiency and effectiveness in the bank. Commercial risk taking is a part of business activities. Therefore, every loss caused to the bank, either in pecuniary or non- pecuniary terms, may not be considered as having vigilance angle. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations, instructions and procedures, would have taken the decision under the prevailing circumstances in the commercial / operational interest of the bank, is one possible criterion for determining whether the decision is bonafide. A positive response to this question may indicate that the decision is bona-fide. A negative response, on the other hand, might indicate that decision taken is not bonafide and presence of vigilance angle.

4.0 MANDATE OF THE INTERNAL ADVISORY COMMITTEE IN PUBLIC SECTOR BANKS

4.1 Keeping in view the specialised nature of functions of PSBs, Internal Advisory Committee (IAC) of three members should be in place in each PSB. It shall be the responsibility of the Managing Director & Chief Executive Officer to ensure that the IAC meets periodically to review cases placed before it.

4.2 The IAC should consist of three members, preferably of the level of Chief General Managers (CGMs), but not below the level of General Managers (GMs). All those cases, where, after investigation, involvement of official(s) of the bank is observed, are to be referred to the IAC for consideration. The IAC is required to consider the case(s) referred to it and give its recommendations regarding existence or absence of vigilance angle, in respect of each official found responsible for certain

lapses in that case. In case of difference of opinion between the members of the IAC, the majority view would prevail. The IAC shall record reasons for giving its recommendations and shall forward the recommendations to the CVO.

5.0 DETERMINATION OF VIGILANCE ANGLE IN PUBLIC SECTOR BANKS

5.1 The CVO, while taking a view regarding presence or absence of vigilance angle, in respect of irregularities noticed against each official found involved in a particular case, is required to take into consideration the recommendations of the IAC. The recommendations of the IAC are, however, not binding on the CVO, who may differ with the recommendations of the IAC, giving cogent reasons.

5.2 The CVO should forward his recommendations, along with the IAC's views, to the DA concerned. In case the CVO and the DA both agree to the existence of vigilance angle and the official(s) found involved in that case are covered under the jurisdiction of the Commission (including a composite case), the case is to be forwarded to the Commission for obtaining its First Stage Advice (FSA) in accordance with the procedure as stated in the 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'. In case, the CVO and the DA agree to the existence of vigilance angle and all officials found involved in that case are outside the jurisdiction of the Commission, further action is to be taken by the DA, in consultation with the CVO. In respect of a particular case, if the CVO and the DA, both agree to the absence of vigilance angle, further action in that case would be taken by the DA, as per extant rules.

5.3 It may be noted that in case of difference of opinion between the CVO and the DA regarding existence of vigilance angle against any or all officials involved in a particular case, the matter is to be forwarded to the Commission for obtaining its advice, irrespective of the level of official(s) found involved in that case.

6.0 ROLE OF THE CHIEF VIGILANCE OFFICER IN DETERMINATION OF STAFF ACCOUNTABILITY IN PUBLIC SECTOR BANKS

6.1 The Staff Accountability Report in respect of advances, which have been categorized as Fraud or have turned into Non-Performing Assets (NPA), is to be forwarded to the CVO for scrutiny, keeping in view the instructions issued by Department of Financial Services (DFS), Reserve Bank of India (RBI)[1] and other organisations, as the case may be, from time to time.

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[1]RBI's Master directions on Fraud Risk Management in Commercial Banks (including Regional Rural Banks) and All India Financial Institutions, issued vide their letter No. RBI/DOS/2024-25/118 DOS.CO.FMG.SEC.No.5/23.04.001/2024-25 dated 15.07.2024, refers, as may be amended from time to time.

6.2 It may also be noted that in respect of case(s) involving staff accountability, the Commission is to be approached for advice by the CVO, as per procedure as stated in Para 5.1 of 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'.

6.3 The CVO of each PSB is required to obtain information about i) quick mortality borrowal accounts; ii) special letters / reports sent by Internal Inspection / Audit Teams; iii) names and inspection report of branches that have slipped to unsatisfactory grade; iv) details of One Time Settlement (OTS) entered into; and v) accountability reports in cases of large value non-performing advances. The CVO should scrutinize such report(s) / information on selective basis. The modalities / criteria to select such report(s) / information for scrutiny by the CVO may be finalized by each bank, in consultation with the CVO. In case any irregularity with a perceived vigilance angle is noticed, the same should be acted upon by the CVO as per procedure prescribed in 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'. Data relating to scrutiny of report(s) / information, as stated above in this para, should be mentioned in the relevant column(s) of online Quarterly Performance Report (QPR) being submitted by the CVO to the Commission.

7. VIGILANCE ADMINISTRATION IN REGIONAL RURAL BANKS

For the sake of uniformity in the vigilance structure in Regional Rural Banks (RRBs), sponsored by PSB(s), the sponsoring PSB is required to adopt the following measures to strengthen vigilance structure in the respective RRB: -

(i) To set up Vigilance Cell in each RRB, to be headed by a sufficiently senior officer of the sponsoring bank;

(ii) To implement Complaint Handling Policy and Whistle Blower Policy, in accordance with the guidelines issued by the Commission and other govt. organisations;

(iii) To seek advice of the Commission in respect of official(s) of RRB(s) covered under the jurisdiction of the Commission;

(iv) To ensure rotational transfer of officials, as per prescribed guidelines / timelines;

(v) To ensure submission of Monthly Vigilance Reports by Vigilance Cell of each RRB to the CVO of the sponsoring PSB;

(vi) To conduct regular training programme for officials of each RRB

8.0 PREVENTIVE VIGILANCE IN PUBLIC SECTOR BANKS AND REGIONAL RURAL BANKS

8.1 It is noted that banking operations include acceptance of deposits and granting advances, which makes banking operations vulnerable to frauds and other misconduct. Irregularities, if committed with malafide intention(s), cause not only financial loss, but also loss of reputation and goodwill to the bank.

8.2 One of the main causes of frauds in banking sector may be the bank's failure to know its customers, to know its employees and to know its partners / vendors. Each bank is required to strictly follow the instruction on these subjects, as may have been issued by the RBI, DFS or other govt. organisations, from time to time. The management of the respective bank may also formulate appropriate Policies, Standard Operating Procedures (SOPs) etc. in this regard, with due approval of the CA.

8.3 In order to protect the financial health of PSBs and to uphold public trust in them, a more focused approach is required towards effective preventive vigilance measures in PSBs. Measures requiring special attention may include (i) study and updation of existing policies, procedures, practices, manuals etc. in order to plug systemic loopholes; (ii) developing a mechanism for control over abuse of discretionary powers; (iii) monitoring and sensitization of officials about security and safety of online / electronic data and processes; and (iv) capacity building at all levels.

9.0 FRAUD REPORTING TO THE CENTRAL VIGILANCE COMMISSION

9.1 Incidents of fraud(s) in PSBs and RRBs are to be determined and reported to the RBI and Law Enforcement Agency (LEA) in accordance with the RBI's Master Directions dated 15.07.2024[1]. In addition, all such incidents of frauds involving amount of Rs. 1 Cr. and above, where involvement of official(s) of a PSB, either alone or in collusion with other official(s) and / or private person(s)/entities is observed, should be reported to the Commission on quarterly basis. The report should be forwarded to the Commission by the CVO, latest by 15th day of the succeeding month after the Quarter ending in March, June, September and December i.e. latest by 15th April, 15th July, 15th October and 15th January, respectively. It may be noted that the above information is to be provided separately for incidents of frauds reported to the RBI & LEA during the previous quarter and for incidents of frauds reported to the Commission earlier than previous quarter, where action has not yet been brought to a logical conclusion. The requisite information is to be provided in the formats enclosed as Annexure-I and Annexure-II to this circular.

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[1] RBI's Master directions on Fraud Risk Management in Commercial Banks (including Regional Rural Banks) and All India Financial Institutions, issued vide their letter No. RBI/DOS/2024-25/118 DOS.CO.FMG.SEC.No.5/23.04.001/2024-25 dated 15.07.2024, refers, as may be amended from time to time.

9.2 In all reported cases of frauds, where vigilance angle is observed against official(s) of a PSB, the CVO should closely monitor the progress of such cases to ensure that departmental action is finalized within the prescribed timelines. The CVO should also analyze such incident(s) of fraud(s) with a view to identify the modus operandi and systemic loopholes leading to occurrence of such incidents. Based on the analysis, the CVO should suggest to the management, systemic improvement measures, in order to plug such loopholes and to avoid recurrence of such incident(s) of fraud(s). Systemic improvement measures suggested to the management should also be reported to the Commission in the online QPR being submitted by each CVO.

10.0 VIGILANCE ANGLE IN PUBLIC SECTOR INSURANCE COMPANIES

10.1 Vide Paras 3.1 and 3.2 of this circular, common irregularities indicating existence of vigilance angle in a case have been stated. In addition, there are certain irregularities specific to Public Sector Insurance Companies (PSICs), which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Pre-dating of cover notes;

(ii) Settlement of bogus claim in collusion with the Insured / Surveyor / Workshop / any distribution channel;

(iii) Payment of an inflated amount as claim;

(iv) Irregularities in disposal of salvage;

(v) Collusion with doctors, hospitals, Third Party Administrators (TPAs) and other outsourced agencies (Agents, Brokers, Surveyors, Advocates) and others on medical examination of prospects;

(vi) Deliberate bad underwriting practices;

(vii) Acting against the interest of the company in placement of funds;

(viii) Conversion of direct business to agency business without proper mandate and causing undue loss to the company, along with corresponding gain to private party;

(ix) Case(s) in which there is a reasonable ground to believe that a criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(x) Misappropriation of the company's assets;

(xi) Falsification of the company's records;

(xii) Disclosure of secret or confidential information;

(xiii) Making false claims on the company;

(xiv) Failure to take necessary action to protect the interest of the company;

(xv) Sacrificing / ignoring the interest of the company and causing loss to the company;

(xvi) Violation of security / safety norms and guidelines issued by the company;

(xvii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xviii) Acting in a manner that violates or undermines the policies of the company or acting against the decisions taken by the management;

(xix) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines;

(xx) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the company's interest.

10.2 The list of irregularities as indicated in Para 10.1 above is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSIC, which may attract vigilance angle. Therefore, the authorities concerned, including the respective DA and the CVO, should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1, 3.2 and 10.1 above, before arriving at a conclusion regarding the presence or absence of vigilance angle, in that case.

10.3 It is to be kept in view that the purpose of vigilance activities is not to reduce but to enhance the level of managerial efficiency and effectiveness in the insurance companies. Commercial risk taking is a part of business activity. Therefore, every loss caused to the insurance company, either in pecuniary or non- pecuniary terms, may not be considered as having vigilance angle. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations, instructions and procedures would have taken the decision under the prevailing circumstances in the commercial / operational interest of the, insurance company is one possible

criterion for determining whether the decision is bonafide. A positive response to this question may indicate that the decision is bonafide. A negative response, on the other hand, might indicate that the decision taken is not bonafide and presence of vigilance angle.

11.0 MANDATE OF THE INTERNAL ADVISORY COMMITTEE IN PUBLIC SECTOR INSURANCE COMPANIES

11.1 Keeping in view the specialized nature of functions of PSICs, IAC of three members should be in place in each PSIC. It shall be the responsibility of the [Chief Executive Officer & Managing Director / Chairman & Managing Director (as the case may be)] concerned to ensure that the IAC meets periodically to review case(s) placed before it.

11.2 The IAC should consist of three members, preferably of the level of officers immediately below the Board of Directors but not less than two steps below the Board of Directors. All those cases, where, after investigation, involvement of official(s) of a PSIC is observed are to be referred to the IAC for consideration. The IAC is required to consider the case(s) referred to it and give its recommendations regarding existence or absence of vigilance angle, in respect of each official found responsible for certain lapses in that case. In case of difference of opinion between the members of the IAC, the majority view would prevail. The IAC shall record reasons for giving its recommendations and shall forward the recommendations to the CVO.

12.0 DETERMINATION OF VIGILANCE ANGLE IN PUBLIC SECTOR INSURANCE COMPANIES

12.1 The CVO, while taking a view regarding presence or absence of vigilance angle, in respect of irregularities noticed against each official found involved in a particular case, is required to take into consideration the recommendations of the IAC. The recommendations of the IAC are, however, not binding on the CVO who may differ with the recommendations of the IAC, giving cogent reasons.

12.2 The CVO should forward his recommendations, along with the IAC's views, to the DA concerned. In case the CVO and the DA both agree to the existence of vigilance angle and the official(s) found involved in that case are covered under the jurisdiction of the Commission (including a composite case), the case is to be

forwarded to the Commission for obtaining its FSA in accordance with the procedure as stated in the 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'. In case, the CVO and the DA agree to the existence of vigilance angle and all officials found involved in that case are outside the jurisdiction of the Commission, further action is to be taken by the DA, in consultation with the CVO. In respect of a particular case, if the CVO and the DA, both agree to the absence of vigilance angle, further action in that case would be taken by the DA concerned, as per extant rules.

12.3 It may be noted that in case of difference of opinion between the CVO and the DA regarding existence of vigilance angle against any or all officials involved in a particular case, the matter is to be forwarded to the Commission for obtaining its advice, irrespective of the level of official(s) found involved in that case.

13.0 PREVENTIVE VIGILANCE IN PUBLIC SECTOR INSURANCE COMPANIES

13.1 The management of each PSIC has to ensure that appropriate guidelines are in place and are implemented in all functional areas e.g. processing of proposals, processing of claims, reconciliation of accounts, empanelment of Surveyors, TPAs, Hospitals, Brokers etc. Each PSIC should ensure that policy guidelines or any instructions issues by the DFS, Insurance Regulatory and Development Authority of India (IRDAI) and other organisations, are followed in letter and spirit by it.

13.2 Other areas requiring specific attention may include (i) study and updation of existing procedures / practices / manuals in order to plug systemic loopholes; (ii) developing mechanism for control over abuse of discretionary power; (iii)) monitoring and sensitization of officials about security and safety of online / electronic data and processes; and (iv) capacity building at all levels.

14.0 VIGILANCE ANGLE IN PUBLIC SECTOR FINANCIAL INSTITUTIONS

14.1 Vide Para 3.1 to Para 3.2 of this circular common irregularities, indicating existence of vigilance angle in a case, have been stated. In addition, there are certain irregularities specific to Public Sector Financial Institutions (PSFIs), which may have a perceivable vigilance angle. Some irregularities are listed below:-

(i) Irregularities in appraisal of projects / entities, ignoring the institution's policies, procedures and regulatory guidelines;

(ii) Irregularities in monitoring of project execution and / or loan utilisation;

(iii) Irregularities in resource mobilization and investment decisions, ignoring the institution's policies and procedures;

(iv) Irregularities in resolution of stressed assets, ignoring the institution's policies and procedures;

(v) Case(s) in which there is a reasonable ground to believe that a criminal misconduct has been committed by the alleged official but the evidence forthcoming is not sufficient for prosecution in a court of law;

(vi) Misappropriation of the institution's assets;

(vii) Falsification of the institution's records;

(viii) Disclosure of secret or confidential information;

(ix) Making false claims on the institution;

(x) Failure to take necessary action to protect the interest of the institution;

(xi) Sacrificing / ignoring the interest of the institution and causing loss to the institution;

(xii) Violation of security / safety norms and guidelines issued by the institution;

(xiii) Conduct of the official is such that his decisions or recommendations do not appear to be objective and transparent and seem to be calculated to promote improper gains for himself or for anyone else;

(xiv) Acting in a manner that violates or undermines the policies of the institution or acting against the decisions taken by the management;

(xv) Complying with unauthorised and unlawful oral instructions of senior official(s) without bringing the same to the notice of the CA, as per extant guidelines ;

(xvi) Exceeding discretionary power(s) and taking action(s) which do not appear justifiable or which do not serve the institution's interest.

14.2 The list of irregularities as indicated in Para 14.1 above is only an 'illustrative list' and not an exhaustive one. There may be other irregularities by an official of a PSFI which may attract vigilance angle. Therefore, the authorities concerned, including the respective DA and the CVO should examine a perceived irregularity in the light of broad parameters, as described in Paras 3.1, 3.2 and 14.1 above, before arriving at a conclusion regarding the presence or absence of vigilance angle in that case.

14.3 It is to be kept in view that the purpose of vigilance activities is not to reduce but to enhance the level of managerial efficiency and effectiveness in the institution. Commercial risk taking is a part of business activities. Therefore, every loss caused to the institution, either in pecuniary or non- pecuniary terms, may not be considered as having vigilance angle. Thus, whether a person of common prudence, working within the ambit of the prescribed rules, regulations, instructions and procedures, would have taken the decision under the prevailing circumstances in the commercial / operational interest of the institution, is one possible criterion for determining whether the decision is bonafide. A positive response to this question may indicate that the decision is bonafide. A negative response, on the other hand, might indicate that decision taken is not bonafide and presence of vigilance angle.

15.0 MANDATE OF THE INTERNAL ADVISORY COMMITTEE IN PUBLIC SECTOR FINANCIAL INSTITUTIONS

15.1 Keeping in view the specialized nature of functions of PSFIs, IAC of three members should be in place in each PSFI. It shall be the responsibility of the Chief Executive Officer [Chairman, Chairman-cum-Managing Director or Managing Director (as the case may be)] to ensure that the IAC meets periodically to review case(s) placed before it.

15.2 The IAC should consist of three members, preferably of the level of officers immediately below the Board of Director but not less than two steps below the Board of Directors. All those cases, where, after investigation, involvement of official(s) of the institution is observed, are to be referred to IAC for consideration. The IAC is required to consider the case(s) referred to it and give its recommendations regarding the existence or absence of vigilance angle, in respect of each official found responsible for certain lapses in that case. In case of difference of opinion between the members of the IAC, the majority view would prevail. The IAC shall record reasons for giving its recommendations and shall forward the recommendations to the CVO.

16.0 DETERMINATION OF VIGILANCE ANGLE IN PUBLIC SECTOR FINANCIAL INSTITUTIONS

16.1 The CVO, while taking a view regarding the presence or absence of vigilance angle, in respect of irregularities noticed against each official found involved in a particular case, is required to take into consideration the recommendations of the IAC. The recommendations of the IAC are, however, not binding on the CVO, who may differ with the recommendations of the IAC, giving cogent reasons.

16.2 The CVO is to forward its recommendations, along with the IAC's views, to the DA concerned. In case the CVO and the DA both agree to the existence of vigilance angle and the official(s) found involved in that case are covered under the jurisdiction of the Commission (including a composite case), the case is to be forwarded to the Commission for obtaining its FSA in accordance with the procedure as stated in the 'Master Circular No. 06/MC/2026 on Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'. In case, the CVO and the DA agree to the existence of vigilance angle and all officials found involved in that case are outside the jurisdiction of the Commission, further action is to be taken by the DA, in consultation with the CVO. In respect of a particular case, if the CVO and the DA both agree to the absence of vigilance angle, further action in that case would be taken by the DA concerned, as per extant rules.

16.3 It may be noted that in case of difference of opinion between the CVO and the DA regarding existence of vigilance angle against any or all officials involved in a particular case, the matter is to be forwarded to the Commission for obtaining its advice, irrespective of the level of official(s) found involved.

17.0 PREVENTIVE VIGILANCE IN PUBLIC SECTOR FINANCIAL INSTITUTIONS

17.1 It is noted that operations of PSFIs include acceptance of deposits and granting advances, which make their operations vulnerable to frauds and other types of misconduct. Irregularities, if committed with malafide intention(s), cause not only financial loss, but also loss of reputation and goodwill to the financial institution.

17.2 One of the main causes of frauds in PSFIs may be the institution's failure to know its customers, to know its employees and to know its partners / vendors. Each PSFI is required to strictly follow the instructions on these subjects, as may have been issued by RBI or other govt. organisations, from time to time. The management of the respective PSFI may also formulate appropriate Policies, SOPs etc. in this regard, with due approval of the CA.

17.3 In order to protect the financial health of each PSFI and to uphold public trust in them, a more focused approach is required towards effective preventive vigilance measures in PSFIs. Measures requiring special attention may include (i) study and updation of existing policies, procedures, practices, manuals etc. in order to plug systemic loopholes; (ii) developing mechanism for control over abuse of discretionary powers; (iii) monitoring and sensitization of officials about security and safety of online / electronic data and processes; and (iv) capacity building at all levels.

18. ROTATIONAL TRANSFER OF OFFICIALS HOLDING SENSITIVE POSTS

Each PSB, PSIC and PSFI should take steps to identify and review sensitive posts in the organisation and to ensure rotational transfer of official(s) holding such sensitive posts, in accordance with the detailed guidelines contained in the 'Master Circular No. 09/MC/2026 on Identification of Sensitive Posts and Rotation of Officials holding Sensitive Posts'.

19.0 MANDATE FOR REFERRING CASES TO THE ADVISORY BOARD FOR BANKING AND FINANCIAL FRAUDS

19.1 The Commission, based on the recommendations of an Expert Committee, constituted by the RBI under the Chairmanship of Sh. Y. H. Malegam, has constituted Advisory Board for Banking and Financial Frauds (ABBFF), in consultation with RBI. ABBFF is required to examine frauds involving Rs. 3 Crores and above in a PSB, PSIC and PSFI and recommend action.

19.2 In such cases declared as frauds in a PSB, PSIC and PSFI, the CVO is to give its recommendations for further criminal investigation to the DA within 15 days of receipt of recommendations of the IAC. In case of involvement of Whole Time Directors (WTDs), a reference is to be made to the administrative ministry by the CVO of the organisation. The CVO is to act as point of interface between the organisation and ABBFF. It may be noted that a detailed SOP for making references to ABBFF has been issued by the Commission separately.

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Annexure -'I'

Name of organization----------

Format for new Fraud Cases

S. No.	Date of Detection	Name of Branch	Name(s) of officials involved	Name of account	Amount Involved	Whether sole / multiple / consortium banking	Date of submission of Fraud Investigation Report	Brief facts / Modus operandi of the case	Date of Reporting to RBI	Date of Reporting to LEA	Date of FIR, if registered	Departmental action(whether contemplated / initiated	Systemic Improvement suggested to by CVO (on a separate sheet)

Date:----------

Signature of CVO

(Name of CVO)

Annexure -'II'

Name of organization----------

Format for present status of Fraud Cases already reported to Central Vigilance Commission in quarters preceding the last quarter

S. No.	Date of Detection	Name of Branch	Name(s) of officials involved	Name of account	Amount Involved	Whether sole / multiple / consortium banking	Brief facts / Modus operandi of the case	Date of Reporting to RBI	Date of Reporting to LEA	Present Status of FIR / criminal investigation	Present status of Departmental action, if initiated	Present status of implementation of systemic improvement, if suggested (on a separate sheet)

Date:----------

Signature of CVO

(Name of CVO)

ACRONYM / ABBREVIATION

Acronym	Full Form
ABBFF	Advisory Board for Banking and Financial Frauds
CA	Competent Authority
CGMs	Chief General Managers
CVO	Chief Vigilance Officer
DA	Disciplinary Authority
DFS	Department of Financial Services
FSA	First Stage Advice
GMs	General Managers
IAC	Internal Advisory Committee
IRDAI	Insurance Regulatory and Development Authority of India
LEA	Law Enforcement agency
NPA	Non-Performing Assets
OTS	One Time Settlement
PSBs	Public Sector Banks
PSFIs	Public Sector Financial Institutions
PSICs	Public Sector Insurance Companies
QPR	Quarterly Performance Report
RBI	Reserve Bank of India
RRBs	Regional Rural Banks
SOPs	Standard Operating Procedures
TPA	Third Party Administration
WTDs	Whole Time Directors

सत्यमेव जयते

Master Circular No. : 08/MC/2026

MASTER CIRCULAR ON TIMELY INITIATION AND FINALISATION OF DISCIPLINARY ACTION

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्पलैक्स,
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सं. / No. 024/VGL/017-8

दिनांक / Dated 27.07.2026

Master Circular No. : 08/MC/2026

Subject: Master Circular on Timely Initiation and Finalisation of Disciplinary Action.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for timely initiation and finalisation of disciplinary action.

2. The Commission, in order to ensure ease of reference about the procedure for timely initiation and finalisation of disciplinary action, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on the above mentioned subject. The same have been compiled in the form of Master Circular No 08/MC/2026 titled **'Timely Initiation and Finalisation of Disciplinary Action'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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Timely Initiation and Finalisation of Disciplinary Action

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Timely Initiation and Finalisation of Disciplinary Action'. This circular shall be applicable to all ministries, departments and organisations of the Central Government covered under the jurisdiction of the Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding Timely Initiation and Finalisation of Disciplinary Action and is aimed at bringing clarity about the same.

3.0 IMPORTANCE OF TIMELY ACTION

Principles of natural justice demand that disciplinary proceedings are finalised in an expeditious manner. Delay may cause undue harassment and demoralization of an innocent official, who, at the end of the disciplinary proceedings, may be exonerated of the charge(s) framed against him. Delay also enables the guilty official to evade punitive action for a longer period of time. On the other hand, delay in completion of proceedings acts as a disincentive for other officials in the organisation. Hence, it is important that disciplinary proceedings, once instituted, are completed within the prescribed time frame.

3.1 The Commission has observed that in some cases, the prescribed time limit is not being adhered to by the authorities concerned in completion of disciplinary proceedings. Inordinate delay on the part of authorities concerned has also attracted adverse comments from courts and tribunals and has also led to quashing of the charge-sheet(s) on the sole ground of unexplained delay in handling of disciplinary cases. The Hon'ble Supreme Court of India in its judgement dated 16.12.2015[1] has inter alia observed as under:-

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[1] Judgment dated 16.12.2015, in Civil Appeal No. 958 of 2010, titled Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr.

"One cannot dispute in this case that the suspension period was unduly long. We also find that the delay in completion of the departmental proceedings was not wholly attributable to the appellant, but it was equally attributable to the respondents as well. Due to such unreasonable delay, the appellant naturally suffered a lot because he and his family had to survive only on suspension allowance for a long period of 9 years.

We are constrained to observe as to why the departmental proceedings, which involved only one charge and that too uncomplicated, have taken more than 9 years to conclude the departmental inquiry. No justification was forthcoming from the respondents' side to explain the undue delay in completion of the departmental inquiry except to throw blame on the appellant's conduct which we feel was not fully justified.

Time and again, this Court has emphasized that it is the duty of the employer to ensure that the departmental inquiry initiated against the delinquent employee is concluded within the shortest possible time by taking priority measures. In cases where the delinquent is placed under suspension during the pendency of such inquiry then it becomes all the more imperative for the employer to ensure that the inquiry is concluded in the shortest possible time to avoid any inconvenience, loss and prejudice to the rights of the delinquent employee.

As a matter of experience, we often notice that after completion of the inquiry, the issue involved therein does not come to an end because if the findings of the inquiry proceedings have gone against the delinquent employee, he invariably pursues the issue in Court to ventilate his grievance, which again consumes time for its final conclusion.

Keeping these factors in mind, we are of the considered opinion that every employer (whether State or private) must make sincere endeavour to conclude the departmental inquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time frame, then efforts should be made to conclude within reasonably extended period depending upon the cause and the nature of inquiry but not more than a year."

4.0 MODEL TIME SCHEDULE FOR CONDUCTING INVESTIGATION AND SUBSEQUENT DISCIPLINARY ACTIONS

4.1 It is important that the various stages from receipt of complaint to issuance of final orders are completed within the specified time limit so that a case involving misconduct of any kind is brought to its logical conclusion without any delay. To ensure timely action, the following model time schedule is advised for processing of complaints and subsequent possible actions:-

S No	Stage of Investigation or Disciplinary Action	Time Limit
1	Decision by CVO regarding involvement of vigilance angle in a complaint and further action, that is: a) To be forwarded to Central Bureau of Investigation (CBI) b) To be taken up for investigation by vigilance unit c) To be sent to the authority concerned (within the organisation) for necessary action d) To be filed	Within 02 months[1] from the date of receipt of complaint in vigilance unit.
2	Conducting investigation and submission of report (I&R).	03 months[2]
3	Approaching the Commission for First Stage Advice (FSA)	01 month from the date of submission of investigation report.
4	Forwarding comments of Competent Authority (CA) on CBI's report to the Commission for advice, if required.	03 weeks from the date of receipt of CBI's report by the CA.
5	Reconsideration of Commission's FSA	02 months from the date of receipt of advice of the Commission.
6	Issue of Charge Sheet, receipt of defense statement and appointment of Inquiry Officer (IO) and Presenting Officer (PO), if required.	02 months from the date of receipt of FSA of the Commission.
7	Issue of Charge Sheet and appointment of IO and PO, in those cases where advice of the Commission is not required.	The time period as may be specified in the Conduct, Discipline and Appeal (CDA) Rules of the organisation concerned, may be followed.

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[1][02 months' time limit would include the time for seeking / obtaining confirmation from the complainant, if required.]

[2]In respect of complaints forwarded by the Commission for investigation and report, the time limit as may be specified by the Commission, shall be adhered to.

8	Issue of final orders in cases where Minor Penalty charge-sheet has been issued.	02 months from the receipt of defence statement.
9	Conducting departmental inquiry and submission of report.	06 months from the date of appointment of IO[1].
10	Disciplinary Authority (DA) to form a tentative view on IO's report and provide to the Charged Officer (CO), a copy of IO's report along with other relevant documents and reasons for disagreement with IO's findings, if any, for obtaining CO's representation.	Within 15 days of receipt of IO's report.
11	Consideration of CO's representation and issuance of final orders.	Within 01 month from the date of receipt of representation[2].

4.2 At Sl. No. 9 of the table given in Para 4.1 of this circular, a time period of 06 months has been advised for conducting departmental inquiry and submission of report by the Inquiry Officer (IO). The bifurcation of the 06 months' period into different stages of departmental inquiry is given in the following table:-

Stage of Departmental Inquiry	Time Limit prescribed
• Fixing date of preliminary hearing, inspection of listed documents, submission of list of Defence Documents (DD) / Defence Witnesses (DW) and nomination of a Defence Assistant (if not already nominated)	Within 04 weeks from the date of appointment of IO
• Inspection of Relied Upon Documents (RUDs) / Examination of relevancy of DDs / DWs, procuring additional documents and submission of certificates confirming inspection of additional documents by CO / DA • Issue of summons to witness(es), fixing date of Regular Hearing (RH), arrangement for participation of witness(es) in RH and conducting RH on day-to-day basis	03 months
• Submission of the written brief by PO to CO / IO	15 days
• Submission of the written brief by CO to IO	15 days
• Submission of Inquiry Report from the date of receipt of written brief from CO	30 days

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[1] In respect of cases where the advice of the Commission has been obtained, the total time taken from the stage of issuance of charge- sheet to submission of inquiry report by the IO, should not exceed a period of 09 months from the date of receipt of Commission's advice.

[2]Department of Personnel & Training's (DoPT) OM No. 372/3/2007 AVD-III (Vol. 10) dated 14.10.2013, prescribes that "all Ministries / Departments shall ensure that all major penalty proceedings against government servants under their control are completed and final orders are passed by the concerned Disciplinary Authority within 18 months from the date of delivery of charge-sheet on the delinquent government servant".

4.3 In case, in the Conduct, Discipline and Appeal (CDA) / Service Rules or Regulations of any organisation, the schedule for conducting departmental inquiry is different from the schedule as mentioned in Paras 4.1 and 4.2 above, the organisation's rules / regulations may be followed, otherwise the time limit as prescribed in Paras 4.1 and 4.2 above may be followed.

5.0 REDUCING DELAY IN CONDUCTING DISCIPLINARY ACTION

5.1 The Commission has observed that some of the factors contributing to the delay in disciplinary action are as follows:-

(i) faulty charge-sheets;

(ii) delay in inspection of original or certified documents;

(iii) non-availability of listed or additional documents;

(iv) frequent adjournments, non-attendance of witness(es), especially private witness(es);

(v) laxity on the part of the IO;

(vi) frequent change of IO / Presenting Officer (PO); and

(vii) lack of monitoring of cases by the Disciplinary Authority (DA) & the CVO.

5.2 In order to plug these loopholes and to ensure that there is no undue delay in processing disciplinary matters, the following steps need to be ensured by the authorities:-

(i) In order to ensure timely progress of inquiry proceedings, the authorities concerned should establish a proper mechanism for safe custody of the documents that may be required during the inquiry proceedings.

(ii) At the time of drafting the charge-sheet, it needs to be ensured that all the Relied Upon Documents (RUDs), as well as copies of relevant rules / instructions are available with the CVO / DA.

(iii) As per extant instructions, while the CBI can pursue the prosecution cases in the courts, simultaneous departmental disciplinary action is also permissible. In case it is decided to hold departmental inquiry, in addition to criminal proceedings, it is the responsibility of the CVO / DA to obtain legible, certified copies of all those required documents from CBI, which have been seized by it, before issuing the charge-sheet. The departmental authorities may also make efforts to keep attested copies of the documents at the time of seizure by CBI, for meeting the organisations' requirement.

(iv) It should also be ensured that the required documents / certified copies of the same are made available to the PO, immediately after his appointment, so that the same can be produced during the course of departmental inquiry, as and when required.

(v) As far as practicable, the IO should be chosen from amongst the serving / retired officers at the same station where the Charged Officer (CO) is posted.

(vi) It may be ensured that the same IO continues to conduct inquiry, even after his transfer or promotion, till the inquiry report is submitted by him. In case of transfer of the IO to a new station, either his transfer orders may be given effect after submission of the Inquiry Report or digital mode / video conferencing may be resorted to for conduct / continuation of the departmental inquiry. However, in case of unavoidable circumstances, the IO may be allowed to visit the earlier station for conducting the ongoing inquiry. Department of Personnel & Training (DoPT), vide their Office Memorandum (OM) dated 15.09.2017[1] and 05.08.2020[2] has also issued guidelines in this regard.

(vii) It may also be ensured that a person who is due to retire shortly i.e. within a period of 01 year, is not appointed as IO. In case the departmental inquiry gets delayed due to any reason and the IO retires before submission of Inquiry Report, his continuation as IO may be considered even after his retirement, subject to his willingness and other conditions applicable to the appointment of retired officials as IOs.

(viii) DoPT's OM dated 15.09.2017[1] and dated 16.11.2022[3] regarding empanelment of retired officers as IO and grant of honorarium to IOs / POs may also be kept in view.

(ix) It may be ensured that the PO is also appointed simultaneously, along with the appointment of the IO.

(x) Change of IO / PO should be resorted to only in exceptional cases. In those cases, where departmental action has been initiated on the advice of the Commission, the Commission should also be kept informed about the change of IO / PO.

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[1] DoPT OM No. 142/40/2015-AVD.I dated 15.09.2017 on the subject "Procedure for empanelment of retired officers as the Inquiry Officers for conducting Departmental Inquiries", refers, which may have been amended from time to time.

[2] DoPT OM No. 11012/03/2020-Estt.A-III dated 05.08.2020 on the subject"Completion of Disciplinary proceeding through Video Conferencing in the wake of COVID-19 pandemic", refers, which may have been amended from time to time.

[3] DoPT's OM No. 1668597747466 dated 16.11.2022 on the subject "Grant of Honorarium to Inquiry Officers / Presenting Officers in the departmental inquiries conducted by the Ministries / Departments", refers, which may have been amended from time to time.

(xi) Before appointment of an official as PO, continued availability of the official concerned during the course of departmental inquiry needs to be ensured. In extreme cases where the transfer is unavoidable, efforts should be made to complete the inquiry proceedings as expeditiously as possible. It should also be kept in view that, to the extent possible, an official of appropriate seniority, with reference to the status of the CO, is appointed as the PO.

(xii) In a case involving more than one CO, as far as practically possible, same IO / PO should be appointed against all COs.

(xiii) Copies of relevant Rules / Regulations / Instructions etc. must be readily available with the PO. The organisation should also ensure online availability of all rules / regulations / instructions etc. so that the same can be downloaded without any loss of time, if required, during the inquiry.

(xiv) It may be ensured that the Defence Documents (DDs) are made available within the time limit allowed by the IO. Responsibility should be fixed on the custodian of such documents for any undue delay / non-production or for the loss of the required documents.

(xv) The IO should normally conduct Regular Hearing (RH) on a day-to-day basis. He should not normally grant more than one adjournment for appearance of witness(es).

(xvi) It may be endeavoured that all the Prosecution or Defence Witnesses (DW) are summoned and examined in separate but simultaneous batches expeditiously.

(xvii) In those cases, where lack of integrity is a charge or a part of the charges and where the witness(es) try to evade appearance before the IO, the provisions of the Departmental Inquiries (Enforcement of Attendance of witness(es) and Production of Documents) Act, 1972 may be invoked to enforce attendance of the witness(es). Under this Act, the IO is conferred with the powers of a Civil Court to summon witness(es)/document(s) and such summons are to be served through a District Judge. As per the provisions of this Act of 1972, the authorisation to summon can be issued only by the Central Government. Hence, wherever required, a proposal should be made to the Central Government by the IO concerned for issue of a notification under this Act of 1972, conferring the powers of the Civil Court upon him.

(xviii) The IO should, as far as practicable, desist from allowing interlocutory documents as additional documents sought by the CO or PO during the deposition of witness(es).

(xix) It may be ensured that the time-limit for various stages of departmental inquiry, as indicated in Para 4.2 of this circular, are followed by the IO & PO.

(xx) In case the CO does not co-operate in the matter of attendance, production of document(s), witness(es) etc., IO may, after affording reasonable opportunity, may proceed ex-parte and submit the report, based on facts, document(s), witness(es) etc. produced before him.

(xxi) In case the PO fails to attend the hearing, fails to produce document(s), witness(es) in a timely manner, the IO after affording reasonable opportunity, may proceed ex-parte and submit the report, based on facts, documents, witness(es) etc. produced before him. The matter may also be brought to the notice of the CA for initiation of action against the PO.

(xxii) Where, the DA decides to remit the case back to the IO for further inquiry and submitting a report, as far as possible, the case should be remitted back to the same IO, who had conducted the inquiry earlier.

5.3 The IO is required to submit a monthly report to the DA concerned, indicating the present status / progress of the inquiry / inquiries being conducted by him. A copy of the monthly report should also be endorsed by the IO to the CVO of the organisations concerned. The report should be submitted by the IO latest by 10th day of the succeeding month. A copy of the format in which the information is to be submitted by the IO is enclosed as Annexure-I to this circular.

5.4 In case, it is found that the inquiry proceedings are getting delayed beyond the prescribed time limit, the CVO should immediately take up the matter with the respective IO and DA to ensure timely completion of the same.

5.5 One of the reasons contributing to delay in completion of departmental inquiry may be refusal / reluctance of the retired official(s) or private person(s) to appear as prosecution or defence witness(es) due to non-payment or delay in payment of Travelling Allowance (TA) / Daily Allowance (DA) to them. The authority concerned in each organisation is required to ensure timely payment of Travelling Allowance / Daily Allowance to the retired official(s) or private person(s) appearing as prosecution or defence witness(es) in a departmental inquiry. Ministry of Finance has also issued guidelines in this regard[1].

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[1] **Ministry of Finance U.O. Note 3221-E IV(B)/61 dated 20.11.1961 and O.M. No. F.5(15) F.IV (B)/68 dated 15.09.1969 relating to payment of TA / DA to private persons / retired employees appearing as prosecution or defence witness(es) in departmental inquiries, refers, which may have been amended from time to time.**

5.6 In order to enable the Commission to examine the cases received by it in a comprehensive manner and to tender advice expeditiously, it is important that the cases forwarded to the Commission are complete in all respects and in accordance with the guidelines issued by the Commission in 'Master Circular No. 06/MC/2026 Procedure for Obtaining and Implementing the advice of the Central Vigilance Commission'.

5.7 All pending cases of departmental inquiries are to be reviewed at regular intervals by the CVO and the DA concerned in each organisation to ensure that the proceedings are completed / finalised expeditiously. The DA and CVO should ensure that the disciplinary actions are completed within the prescribed time limit as laid down in Hon'ble Supreme Court's judgement dated 16.12.2015[1], as also mentioned in Para 4.2 of this circular.

5.8 In a case, where undue delay is observed on the part of IO, the authority concerned may not hesitate to take appropriate action against the IO, as per the prescribed procedure.

5.9 It may be noted that the responsibility of bringing the disciplinary proceedings to a logical conclusion, including implementation of the First Stage Advice (FSA) / Second Stage Advice (SSA) of the Commission, rests with the administrative authorities. Hence, administrative authorities would be required to explain delays, beyond prescribed time limit, in issuance of orders for implementation of the advice of the Commission. The Commission may recommend adverse action against the authorities concerned found responsible for any unexplained delay observed in a particular case. DoPT has also issued instructions in this regard[2].

5.10 It may be noted that the responsibility of monitoring the timelines for finalization of disciplinary proceedings and ensuring adherence to the same has also been given to the CVO. DoPT has also issued guidelines in this regard[3].

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[1] Supreme Court judgement dated 16.12.2015 in Civil Appeal No. 958 of 2010, titled Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr., refers.

[2] DoPT's O.M. No. 11013/2/2004-Estt.(A) dated the 16th February 2004 on the subject "Accountability for delay in decision making", refers, which may have been amended from time to time.

[3] DoPT's OM No. 425/04/2012-AVD-IV(A) dated 29.11.2012 on the subject "Guidelines for monitoring and expeditious disposal of the disciplinary proceeding cases", refers, which may have been amended from time to time.

6.0 PETITIONS OF BIAS BY CHARGED OFFICERS

6.1 One of the main reasons noticed for delay in disciplinary proceedings is that, the CO, during the course of departmental inquiry, raises concerns of bias against the IO and the inquiry proceedings are stayed till the disposal of the bias petition by the Competent Authority. Para 4 of DoPT's OM dated 09.11.1972[1] also provides that '*whenever an application is moved by a Government servant against whom disciplinary proceedings are initiated under the CCS (CCA) Rules against the inquiry officer on grounds of bias, the proceedings should be stayed and the application referred, along with the relevant material, to the appropriate reviewing authority for considering the application and passing appropriate orders thereon*'.

6.2 It may be noted that as per Rule 22 (iii) of Central Civil Services (Classification, Control and Appeal) [CCS (CCA)] Rules, 1965 and Rule 15 of All India Services (Discipline and Appeal) Rules, 1969 '*no appeal shall lie against any order passed by an inquiring authority in the course of inquiry*.'

6.3 Hence, while considering the bias petition in accordance with the provisions contained in DoPT's OM dated 09.11.1972, the provisions of Rule 22 (iii) of CCS (CCA) Rules, 1965 and Rule 15 of All India Services (Discipline and Appeal) Rules, 1969 may also be kept in mind. In order to ensure that there is no undue delay in completion of disciplinary proceedings due to the bias petition, the Competent Authority may dispose off the bias petition expeditiously, preferably within a period of 30 days, while observing the principles of natural justice.

6.4 Railway Board have issued guidelines / clarifications[2] regarding handling of a bias petition. The organisations may consider the guidelines issued by Railway Board for adoption, with suitable modifications / changes as may be deemed appropriate.

7.0 UNIFORMITY IN LEVELS OF PROCESSING OF VIGILANCE CASES

7.1 Another reason for delay in disciplinary proceedings is that the levels of examination / processing of vigilance matters are more than required number of levels. The levels of processing of vigilance matters in different organisations also lack uniformity.

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[1] DoPT's OM No. 39/40/70-Ests-A dated 09.11.1972 on the subject 'Departmental Inquiries against Government servants - appointment of Inquiring Authority', refers, which may have been amended from time to time.

[2] Railway Board's letter No. E (D&A) 2022 RG6-12 dated 27.12.2022 on the subject 'Inquiry under Railway Servants (Discipline & Appeal Rules), 1968- Appointment of Inquiry Authority-clarification', refers, which may have been amended from time to time.

7.2 It may be noted that Department of Administration Reforms & Public Grievances (DARPG) have issued guidelines[1] prescribing that "each ministry / department shall review the instructions on levels of disposal and channels of submission keeping in view that the number of levels shall not exceed four by delegating powers to lower formation".

7.3 In order to avoid delay in vigilance matters, the organisations concerned should review the levels of processing of such matters and should bring down the levels to a maximum of four. The limit of four levels would be applicable to each administrative unit separately, in the hierarchy of the organisation. In this regard, each organisation may take the following steps:

(i) Delayering

(ii) Adoption of Desk Officer System in Vigilance Wing.

(iii) Delegation of powers, wherever possible (with due approval), to ensure limiting the steps / layers for decision making to four, including merger of levels.

8.0 EXPEDITIOUS ACTION IN RESPECT OF OFFICIALS DUE TO RETIRE

8.1 During investigation and subsequent disciplinary actions, as may be required, due attention should be paid to the date of superannuation of the Suspected Public Servant (SPS) / CO to ensure that all required actions are completed before the retirement of such officials. In case, the CDA Rules of an organisation do not provide for continuance of disciplinary action or for imposition of penalty after retirement / superannuation, any disciplinary action, if initiated, but not completed before retirement, would become infructuous.

8.2 It is impressed upon the authorities that in respect of officials due to retire shortly, they need to ensure conduct of investigations and completion of disciplinary proceedings well in advance. All such retirement cases should be forwarded to the Commission for obtaining its advice in such a manner that the cases are received in the Commission at least 30 days before the date of retirement of the SPS.

9. TRAINING TO IOs AND POs

It may also be kept in view that in order to ensure timely and smooth completion of disciplinary proceedings, training needs to be imparted to prospective and existing IOs and POs. This will also help in creating a pool of trained IOs and POs in the organisations. For IOs / POs who are serving public servants, timely completion of departmental proceedings by them needs to be given due weightage / cognizance by

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[1]DARPG's OM No. 30011/12/2015-O&M-PL1 (6452) dated 12.03.2021, refers, which may have been amended from time to time.

the reporting/reviewing officers, in the APARs of such IOs / POs[1].

10. REFERRING CASES TO UPSC FOR ADVICE

Deficiencies in cases being referred to the Union Public Service Commission (UPSC) for obtaining its advice is another reason for unwarranted delay in finalization of disciplinary cases. The authority concerned in each organistaion should ensure that the cases referred to UPSC for advice are in the prescribed format and are complete in all respects, so that the cases may not be returned by UPSC without tending advice. DoPT's OM dated 10.05.2011 also refers in this regard[2].

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[1] **DoPT's OM No. 11012/3612023-PP.A-111 dated 1.10.2023 on the subject "Requirement of completing /clearinga course related to procedural steps for holding Disciplinary Proceedings! Departmental Inquiries by Inquiring Authorities (IAs)/Inquiry Officers (lOs), on iGOT Karmayogi Platform", refers, which may have been amended from time to time.**

[2] **DoPT's OM No. 39035/01/2011-Estt. (B) dated 10.05.2011 on the subject "Departmental proceedings against Government servants - consultation with the Union Public Service Commission for advice", refers, which may have been amended from time to time.**

Annexure-I

Name of Inquiry Officer……Report for the Month of……

S. No.	Name and Designation of CO	Date of appointment of IO	Date of Preliminary Hearing	Whether Brief Hearing required. If Yes, date of Brief Hearing	No. of Regular Hearings held till the end of the month	Dates of Regular Hearing(s)	Date of submission of PO's Brief	Date of submission of Defense Brief	Date of submission of IO's report	Time taken since appointment as IO (up to the stage inquiry has progressed so far)	Whether time limit given in Para 4.2 of this circular is being adhered to. if not, reasons thereof
1	2	3	4	5	6	7	8	9	10	11	12

Signature of Inquiry Officer

To,
Disciplinary Authority
Copy to: - Chief Vigilance Officer

Note -Report to be submitted by IO by 10th day of every month to DA with copy to CVO.

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ACRONYM / ABBREVIATION

Acronym	Full Form
APARs	Annual Performance Assessment Reports
CA	Competent Authority
CBI	Central Bureau of Investigation
CCS (CCA) Rules	Central Civil Services (Classification, Control & Appeal) Rules
CDA Rules	Conduct, Discipline & Appeal Rules
CO	Charged Officer
CVO	Chief Vigilance Officer
DA	Disciplinary Authority
DARPG	D/o Administration reforms & Public Grievances
DD	Defence Documents
DOPT	Department of Personnel & Training
DW	Defence Witnesses
FSA	First Stage Advice
IO	Inquiry Officers
I&R	Investigation & Report
OM	Office Memorandum
PO	Presenting Officer
RH	Regular Hearing
RUD	Relied Upon Documents
SPS	Suspected Public Servant
SSA	Second Stage Advice
TA/DA	Traveling Allowance/ Daily Allowance
UPSC	Union Public Service Commission

सत्यमेव जयते

Master Circular No. : 09/MC/2026

MASTER CIRCULAR
ON
IDENTIFICATION OF SENSITIVE POSTS AND ROTATION OF OFFICIALS HOLDING SENSITIVE POSTS

CENTRAL VIGILANCE COMMISSION

CENTRAL VIGILANCE COMMISSION

सत्यमेव जयते

केंद्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्पलैक्स,
ब्लॉक–ए, आई.एन.ए., नई दिल्ली–110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023

सं. / No. 024/VGL/017-9

दिनांक / Dated 27.07.2026

Master Circular No. : 09/MC/2026

Subject: Master Circular on Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts.

The Central Vigilance Commission as part of its mandate of effective superintendence over the vigilance administration of the organisations covered under its advisory jurisdiction, has issued a number of guidelines, circulars etc. from time to time, about the procedure for identification of sensitive posts and rotation of officials holding sensitive posts.

2. The Commission, in order to ensure ease of reference about the procedure for identification of sensitive posts and rotation of officials holding sensitive posts, has consolidated, updated and revised the earlier guidelines, circulars etc. issued by it on the above mentioned subject. The same have been compiled in the form of Master Circular No 09/MC/2026 titled **'Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts'** which is enclosed to this Office Memorandum. With the issuance of this Master Circular, all earlier guidelines, circulars etc. issued by the Commission on the above mentioned subject, stand superseded.

3. The Commission welcomes suggestions and inputs on the Master Circular. Any communication or clarifications sought in this regard may be addressed to 'The Secretary, Central Vigilance Commission'.

4. This Master Circular is available on the website of the Commission, i.e. www.cvc.gov.in under the head 'Publications' and sub-head 'Master Circulars'.

Encl: As above.

(**Trishaljit Sethi**)
Secretary

To

(i) The Secretaries of all Ministries/Departments of GoI
(ii) All Chief Executives of Central Public Sector Enterprises / Public Sector Banks / Public Sector Insurance Companies /Autonomous Bodies etc.
(iii) All CVOs of Ministries / Departments of GoI / CPSEs / Public Sector Banks / Public Sector Insurance Companies / Autonomous Bodies etc.
(iv) Website of Central Vigilance Commission.

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ACRONYM / ABBREVIATION 4

Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts

SHORT TITLE, APPLICABILITY AND COMMENCEMENT

This circular shall be referred to as the 'Master Circular on Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts'. This circular shall be applicable to all ministries, departments and organisations of Central Government, covered under the jurisdiction of the Central Vigilance Commission (hereinafter called as the Commission) and shall come into effect from the date of its issuance.

2. PURPOSE

This circular is being issued in supersession of all earlier circulars / guidelines / office orders / letters etc. issued by the Commission from time to time regarding Identification of Sensitive Posts and Rotation of Officials Holding Sensitive Posts and is aimed at bringing clarity about the same.

3.0 IDENTIFICATION OF SENSITIVE POSTS

3.1 The Commission, as part of its superintendence over vigilance administration of the organisations covered under its advisory jurisdiction has been emphasizing on the importance of Preventive Vigilance Mechanism to bring about transparency, objectivity and efficiency in the functioning of the organisations. Identification of sensitive posts and rotational transfer of officials holding such posts is one of the tools for effective preventive vigilance. Periodical rotation of officials holding sensitive posts would help prevent developing of vested interest by the officials and would also reduce the scope for indulging in corrupt activities.

3.2 In view of the everchanging scenario and increasing use of technology in the functioning of organisations, it is important that the list of sensitive posts is reviewed and updated at regular intervals.

3.3 It is, therefore, advised that the Chief Executive [Secretary in the case of ministry / department and Chief Executive Officer (Chairman cum Managing Director / Managing Director etc.) in case of any other organisation], in consultation with the CVO, should undertake an exercise to identify sensitive posts in the organisation. An exercise to review and identify sensitive posts should be conducted after an interval of every three years or earlier, if the need arises.

4.0 ROTATIONAL TRANSFER OF OFFICIALS HOLDING SENSITIVE POSTS

4.1 In order to promote probity, transparency and objectivity in the functioning of government organisations, it is to be ensured that periodical rotational transfers of officials holding sensitive posts is undertaken at regular intervals by each organisation. The officials holding sensitive posts should be rotated / transferred on completion of a period of three years on such posts. No official should be retained at the same sensitive post for unduly long period by the authorities concerned in the guise of indispensability, etc.

4.2 It is clarified that the Commission's guidelines are for transfer of an official from a sensitive post after completion of three years and not for transfer from the station. Transfer of an official from one station to another station is to be governed by the transfer policy of the organisation concerned.

4.3 The Chief Executive of the organisation has to ensure that the guidelines, as stated in this circular, relating to identification of sensitive posts and periodical rotational transfer of officials holding such sensitive posts, are implemented in letter and spirit.

4.4 Action taken in compliance of the guidelines, as stated in this circular, is to be intimated to the Commission, by the CVO concerned, in the online Quarterly Performance Report (QPR) being submitted to it. In case of non-implementation of these guidelines, the same should also be brought to the notice of the Commission by the CVO, through a separate communication, addressed to Secretary, Central Vigilance Commission.

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ACRONYM / ABBREVIATION

Acronym	Full Form
CVO	Chief Vigilance Officer
QPR	Quarterly Performance Report



CENTRAL VIGILANCE COMMISSION
Satarkata Bhavan, GPO Complex,
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