

No. 10/V-42/(B-88)/2016-VSI
Government of India



Office of JS & CVO
Vigilance Unit, CPWD
Nirman Bhawan, New Delhi-110108

Dated: 28th May, 2018

MEMORANDUM

Subject: Forwarding complaints and related matters involving vigilance angle in time to the Vigilance Unit for taking action.

It has been noticed that CPWD officials are not referring the complaints involving vigilance angle to the Vigilance Unit timely for conducting investigations and initiating appropriate action against the officers responsible for the lapses. It has also come to the notice that considerable time consumed at various offices in the name of getting confirmation of complaint from the complainant. Instead of taking the matter seriously and monitoring at their own level, the senior functionaries like CEs/SEs are simply forwarding the matter downwards to their subordinates without ensuring timely action. The vigilance complaints are very sensitive and important which can be handled in the best manner by the Vigilance Unit only, which is specially set up to handle such complaints. The cases involving vigilance angle should be referred to the vigilance Unit in time without any loss of time so that appropriate action can be initiated against the defaulting officers.

The delay in referring the matter to Vigilance Unit provides benefit to the defaulting officers in the form of either they get retired prior to sending the case or retired during the process of referring the matter to the Vigilance Unit.

To circumvent such unpleasant situations where offenders get benefit because of the delays, earlier directions were issued vide OM No. 10/V-II/(A-21)/2015-VS-I dated 19.01.2016, OM No. 10/V-2/(A-27)/2015-VS-I dated 15.05.2017 and 19/Misc./2012-13/EE(HQ) dated 06.06.2016 to all CPWD offices to refer such complaints involving vigilance issues immediately to the Vigilance Unit. However, it is seen that these directions issued by Directorate of CPWD are not being complied meticulously by the field units. Any delay in sending the documents / reports connected with vigilance inquiries will be considered as dereliction of duties / collusion with suspect/charged officers against whom vigilance investigation are being conducted.

It is therefore, reiterated once again that all concerned officials must submit the complaints/cases involving vigilance angle as soon as it comes to their notice immediately to the Vigilance Unit leaving sufficient time for Vigilance Unit to take appropriate actions. Special attention is to be given to such cases in which suspect officers are likely to retire in the near future highlighting their date of superannuation.

Complaints with vigilance angle are clearly defined in the Vigilance Manual 2017, Para 1.4.1, 1.4.2 and 1.4.3. Vigilance angle is obvious in the acts of-

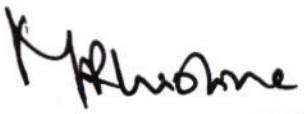
- (a) Demanding/accepting illegal gratification.
- (b) Obtaining valuable thing with/without consideration from a person having official dealings.
- (c) Obtaining pecuniary advantage by corrupt/illegal means.
- (d) Abusing position as Govt. servant.
- (e) Possession of disproportionate assets
- (f) Misappropriation, forgery, cheating and other similar criminal offences.

Following cases are also considered as having vigilance angle in which officer's integrity is in doubt-

- 1) Gross or willful negligence/recklessness in decision making.
- 2) Blatant violations of Manual provisions/systems/procedures.
- 3) Exercise of discretion in excess where no public interest is evident.
- 4) Failure to keep superiors informed of required transactions in time.
- 5) Undue loss to department/Govt.
- 6) Undue gain to private persons.


It is also reiterated that reports/ details/ documents sought by the Vigilance Unit must be furnished within the time stipulated in the requisition letter. Any delay in referring the complaint and /or submission of the requisitioned reports/details/documents will be considered as dereliction of duties/collusion with the charged officers against whom Vigilance investigation are proposed or being conducted. Strict compliance of these instructions must be ensured.

This issues with the approval of MoHUA.


(M. R. Krishna) 28/5/18
JS & CVO
CPWD

Copy through CPWD Website to:

1. All SDGs & E-in-C, PWD Delhi.
2. All ADGs, CPWD & PWD Delhi.
3. All Chief Engineers/Chief Project Managers CPWD & PWD Delhi.
4. All Superintending Engineers/Project Managers CPWD & PWD Delhi.
5. Copy to All SEs and EEs Vigilance Unit, CPWD.


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